**Britain and the US** *The Editor s*

# THE NEW REPUBLIC

*December 19, 1964, 35 cents*

## The Snoops

*Private Lives and Public Service*

*James Ridgeway*

Waldorf Summit — *Murray Kempton*

War Toys — *William H. Honan*

Berkeley Riots — *Gilbert A. Harrison*

Holmes' Letters — *Francis Biddle*

PAPERNEWS

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# T.R.B. *from Denver*

*Republican Sparks*

★ The Brown Palace Hotel in Denver, if you haven't seen it, is a delicious monstrosity, as delightful as the San Francisco cable cars. It is a big hollow well of a building with seven or eight brass-railed Victorian galleries looking down on the central lobby. In the dry, mile-high air, and with ample floor carpets, anyone approaching a brass rail shoots out a disconcerting spark that is at once alarming and funny. "I've worked here 20 years," said a scrub woman to TRB ruefully, "and I haven't got used to it yet."

There were sparks flying there also last week at the Republican governors' conference which seemed to indicate life in the old party still. The 17 present were the angry survivors of the Goldwater experiment in political extremism. They have nothing against chairman Burch personally. But how can they, or the tens of thousands of other GOP candidates for office in the future, hope to get elected with that symbol of exclusionism at the head?

Snow sifted down outside the curtained hotel windows as we watched and our thoughts went back to that lunatic convention in mellow San Francisco last summer. It wasn't like other conventions; it was unlike them all in one particular: Goldwater and his crowd were irreconcilable. In four distinct steps he refused to conciliate: in the platform, in the Vice Presidency, in his acceptance speech, and in his choice of national chairman Burch himself, an unknown, 37-year-old Arizonan. Veteran correspondents could not believe what they saw. Goldwater had forced the moderates to their knees, and instead of lifting them up with a smile he kicked them.

This is a tough new breed, and we might as well face it. The GOP governors finally faced it, too. The Goldwater crowd are not politicians, they are zealots. John Grenier, of Alabama, who has just retired as one of Barry's hand-picked campaign lieutenants, is one of them. He was a focal point for the so-called Southern Strategy, surely one of the most questionable proposals in modern politics. It involved abandoning the populous industrialized East and concentrating on capturing the South. From a practical point of view this was crazy, but from a moral viewpoint it was worse, because it implied winning the election on the White Backlash; making Lincoln's party segregationist. Well, it didn't work, thank God, though the precious Mr. Grenier won five GOP Congressional seats in Alabama and has gone back to direct them as state GOP chairman.

One of the most revealing speeches at Denver (which you probably didn't read in your paper) came from Robert L. Gavin of North Carolina. He wasn't a governor though he might well have been if it hadn't been for Goldwater. He ran a close race. He spoke in a quiet way, with an undercurrent of emotion that you could see reacted deeply in the other Republicans who had survived the carnage. He said he had taken a liberal line on civil rights; more so than his Democratic rival. But there are 200,000 Negro votes cast in North Carolina, he said, and "I received about three percent of them." A man just can't get elected in North Carolina, he said calmly, if 200,000 votes from one bloc go to his opponent at the start. The burden he carried, he said, was "our national ticket."

*Bid for Negro Vote*

★ Next election, Mr. Gavin said, there will be 250,000 to 300,000 Negro votes. Asked what he was going to do about it, he said quietly that he was going out, "right away," to get in "contact with their leaders."

"In my election," he said, "the Negro vote was decisive. I have read that this was equally decisive in Tennessee, with both Republican Senatorial candidates; in Texas with George Bush (Senatorial candidate); in Ohio with Bob Taft, Jr. (candidate for governor), and in Illinois with Chuck Percy (candidate for governor)."

That is the kind of talk a politician understands. We sensed the hardening attitude among the governors all the time. We don't know whether Burch's departure will be graceful or precipitate, but we have no doubt at all he will go. His position is untenable.

*Stock Market Shudder*

★ It ought to be possible to explain in simple language why the action of Britain in raising its interest rate from five to seven percent caused a shudder in the American stock market. The world economy is now closely knit; financial cohesion is way ahead of lumbering political cohesion. To prevent US funds being sucked abroad the Federal Reserve discount rate was given a token raise, too. Whatever officials say to the contrary the suspicion grows that this means tighter money.

Tighter money is deflationary. It is a brake on business advance. Furthermore, it accentuates an anomaly already present. In normal times stocks give the buyer a higher return than bonds because stocks are riskier. You take the risk and you theoretically get paid for it. But today that traditional relationship is reversed. Since 1900 the average yield of leading common stocks has been five percent; today stocks yield only around three percent. Bonds, meanwhile, over the past 60 years, have averaged a four percent yield. Many high-grade bonds today, however, pay four-and-one-half percent. In the past such a discrepancy has usually meant trouble. But today more and more big pension groups, corporations and trust funds put part of their surplus cash into stocks, to hedge against inflation. They bid up the price of stocks, but dividends don't keep pace.

Some people think it is a red danger signal, but it has been blinking a long time. Meanwhile, if it costs more to hire money, the return on bonds may ultimately rise, too. That would widen the interest-dividend gap still more.

And meanwhile, tight money puts a brake on business; if it comes, it will slow expansion, increase unemployment, and make stocks more risky.

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# Britain and the US

The new British Prime Minister, Harold Wilson, came to Washington last week, exactly two years after Dean Acheson told West Pointers that Britain had lost an empire and was failing to find a new role by the side of the United States. President Johnson and Mr. Wilson seemed agreed that Britain does indeed have a role to play, in spite of Britain's current financial frailty. In 1946 in a speech at Fulton, Missouri, Winston Churchill talked of a "special relationship" between the US and Britain, by which he meant that they should make joint use of all the naval and air force bases they both possessed all over the world. At that time, both countries had global responsibilities that no other country in the non-Communist world had, and they were also the only countries in the world that knew how to make atomic weapons. In the intervening period, Britain has suffered from economic debility, mainly the continuing consequence of the enormous debts incurred in six years of fighting the Second World War; Britain has also been strained beyond its strength by the enormous costliness of research and development of modern atomic and other weapons. The US for its part has lost its monopoly of the atomic bomb and has become still more committed in various parts of the world at the same time as Britain has to some extent abdicated as world policeman. All these aggravations have tended sometimes to make the "special relationship" a scratchy one. Yet by and large it is as true now as it was in 1946 that in the non-Communist world the US and Britain, and only the US and Britain, have responsibilities that extend from the Atlantic through the Indian into the Pacific Ocean. The French and the Dutch withdrew from the Far East, the Belgians from Africa; Britain has 20,000 soldiers in Malaysia, large defense commitments to India and British soldiers recently rushed by invitation to East Africa to help sustain the new governments of Tanganyika and Kenya against army mutinies. The Germans, who have more gold and almost as many soldiers as the British, have for a number of reasons kept both at home and assume no global responsibilities whatever, though this might change if they were asked. But above all, the Americans and the British have a special relation because as well as sharing world responsibilities, and a world language, they usually have a common approach to problems. They both distrust ideologies and prize most highly a brand of pragmatism that the British like to call "muddling through" and the Americans call horse sense. It was apparently in this frame of mind that President

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Johnson and Harold Wilson sat down last week to talk things over; the results seem to have been good.

Britain used to have an empire "east of Suez." It now has instead a tenuous formal connection with many large and small Afro-Asian countries that are members of "the Commonwealth." If this were all, it would be almost as insignificant as Dean Acheson said it was when he dismissed "the Commonwealth" as having no political structure, unity or strength. One might go even further and compare "the Commonwealth" with the Holy Roman Empire which was neither holy, Roman nor an empire. The Commonwealth substance lies not in formal ties but in a set of working relationships between Britain and the Afro-Asians. These relations tend to be highly pragmatic not sentimental; and the current point of them is that they roughly correspond to the global responsibilities of both Britain and the US. Mr. Wilson hinted in Washington that Europe's security problem is one of maintenance, Asia's (also Africa's) of provision. There is going to have to be Anglo-American cooperation regarding both Africa and Asia. And they will need the cooperation of African and Asian governments who soon must share (though they may not yet admit it) the altered attitude of the Indian government toward American and British aid in security. In practical terms the provision of security is going to entail the joint use of facilities that Britain now administers or controls, off the coasts of Africa and in the Indian Ocean; or that Australia controls in the Pacific. That is very close to what Churchill proposed, when he first used the phrase "special relationship" in his Fulton speech 18 years ago. The term did not mean then, and does not now, that the US and Britain are in perfect accord about everything; they probably do not see eye to eye about Vietnam, and certainly do not about China or Cuba. But the gap in viewpoints may be narrowing. The US now fully shares British anxieties about the Indonesian threat to Malaysia, and Britain intends withholding independence from British Guiana until satisfied that the different communities there can live in peace.

The gap may also have narrowed as regards the security of Europe. The President and the Prime Minister have wisely put off for a time a decision about the multilateral nuclear force that threatened to divide them. With an eye to the possible composition of the next German government, Mr. Wilson has suggested that the whole alliance share in strategy-making concerning all the West's nuclear weapons; the German Socialists want this. Mr. Johnson seems neither to have bought this concept – to which Congress would object – nor stubbornly insisted on an unmodified MLF – which is under fire by Congressmen. And Mr. Wilson reemphasized that, whatever its ultimate form, any allied nuclear force should be under permanent US veto, which ought to please both President and Congress, if not all Germans and, still less, one Frenchman. Thus in nuclear matters, the British despite being themselves a nuclear power (and a much stronger one than either France or China) are not asking for a special relationship with the US; what they are asking in this field is that they and all the European allies of the US (as members of NATO) take part in nuclear policy-making, while accepting that the last decision must, for purely practical reasons, be in the hands of the United States.

There has recently been American talk that this final US word is something the Germans may in the long run refuse to put up with; and this in turn led to devious hints about ultimate American approval of an independent European nuclear force. By muttering such hints, Washington appeared to be seeking clumsily to fool both the Germans (by promising what it did not mean to give) and the Russians (by assuring them it wouldn't give it). It would be nice to think the Wilson visit has put an end to that foolishness, and to MLF-inspired talk about Germany replacing Britain as the chief European ally of the United States. Nothing would make the Russians and Eastern Europeans more intransigent; whereas what the British are seeking for Europe is the kind of defense that will make it possible to negotiate disarmament with Russia, which is surely as much in Germany's interests as in everyone else's, including ours.

# Where Are the Poor?

One of the Administration's priority bills is the $1 billion Appalachian Regional Development Act that the Senate passed in September but the House did not act on. The program to develop an 11-state region will benefit more than 15 million people. No one doubts that Appalachian poverty is a serious national problem. However, there is even more poverty in the Deep South. This can be tested, by comparing median family income in Appalachia with median family income in the four poorest Southern states. These four are Alabama, South Carolina, Arkansas and Mississippi, in order of deepening poverty. Tennessee, in Appalachia, has more income per family than any of the four Deep South states. The median family income in Tennessee is $3,949 a year; this is just $12 more than Alabama (the least poor of the four Deep South states) and $1,065 more than Mississippi. An average Tennesseean is $765 a year richer than an average Arkansan.

If county income is compared, instead of statewide income, the disparity is less but the four Deep South states are still behind the Appalachian states. And the same applies if only the poorest county in each state is



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made the basis for comparison. Median family income in the poorest county of Tennessee is $1,363, and in Mississippi is $1,260. In Pennsylvania, another Appalachian State, median family income in the poorest county is $3,857; in Alabama, least poor of the four Deep South states, median family income in the poorest county is $1,387.

Most of the poorest counties in the four Deep South states have more Negroes than whites: they are about 58 percent Negro. Perhaps for this reason, Congressmen from the Deep South may not be particularly interested in providing a poverty program there.

# Medicine in Missouri

It has taken five years for Dr. Harold Will Lischner, a graduate of the University of Chicago Medical School and a diplomate of the American Board of Pediatrics, to get a license to practice medicine in Missouri, apparently because Dr. Lischner is a pacifist and was a conscientious objector in World War II, when he was 20. The Missouri State Board of Registration of the Healing Arts refused to license him on grounds of moral character. Finally, Cole County Circuit Judge Sam C. Blair upheld Dr. Lischner and returned the case to the board so that it could reverse its original decision. The judge ruled the board had been arbitrary in its grounds for denying Dr. Lischner the right to practice. The board said December 3 that it will not appeal the case further and will issue a license to Dr. Lischner.

What the board was interested in, the transcript of a hearing disclosed, were Dr. Lischner's political and religious beliefs, and his dislike of American Medical Association policies. The board wanted to know if he had ever set foot in Communist territory while he was working for a Quaker health and social welfare organization in Korea. It asked him if he was a Communist, if he considered himself a loyal American, had he ever carried a sign, did he believe in duly constituted authority, and what were the things about the AMA that he disliked.

Dr. Lischner, who is licensed in Pennsylvania and California, testified that he is not a Communist, believes wholly in the Constitution, and thinks the AMA is wrong to oppose medicare and to allow segregation within local groups.

Secretary of State Warren E. Hearnes, who won the Democratic nomination for Governor and is the new Governor-elect, had said the board's original decision represented "a step toward thought control and a threat to the individual freedom of every American, every Missourian." His defeated opponent, Lieutenant Governor Hilary Bush, had supported the board, as had retiring Governor John M. Dalton. The former Attorney General, Thomas F. Eagleton, now Lieutenant Governor, had told the board in advance that he would not represent it in court.

# Interracial Cohabitation

In February, 1962 the Miami, Florida, police arrested Connie Hoffman, a white waitress from Alabama, and Dewey McLaughlin, a Negro hotel employee (a native of British Honduras), who were living together in a Miami Beach efficiency apartment. They were charged with and convicted for violating a Florida law which prohibited interracial cohabitation, and sentenced to 30 days in jail and a $50 fine. The statute prohibited interracial couples "not married to each other" from habitually living in and occupying "in the nighttime the same room." Proof of sexual intercourse was not an element of their offense. The exact same conduct by a couple of the same race would not have been a crime under Florida law. These defendants could not plead a defense based on a common-law marriage because Florida also has a miscegenation law.

The Supreme Court now has decided this cohabitation law is unconstitutional. All nine Justices agreed on December 7 that the statute sanctioned an arbitrary and invidious discrimination between classes of people. In the words of Associate Justice Byron White, the law was ". . . invalid as a denial of the equal protection of the laws guaranteed by the Fourteenth Amendment . . . on this basis [we] set aside these convictions . . . the central purpose of the Fourteenth Amendment was to eliminate racial discrimination emanating from official sources in the states." Though the case at hand was pregnant with implications of the miscegenation issue, Justice White was careful to note that the majority reversed ". . . without expressing any views about the state's prohibition of interracial marriage."

Nevertheless, there is language in the Court's opinions which suggests a view against the existing 19 state miscegenation laws. The majority noted in passing that Florida rationalized its interracial cohabitation law on the ground that it was ancillary to and served the same purpose as its miscegenation law, and Justice Stewart wrote an impassioned concurring opinion, stating ". . . I cannot conceive of a valid legislative purpose under our Constitution for a state law which makes the color of a person's skin the test of whether his conduct is a criminal offense. These defendants were convicted . . . only because they were of different races. *And I think it is simply not possible for a state law to be valid under our Constitution which makes the criminality of an act dependent upon the race of the actor. Discrimination of that kind is invidious* per se" [our italics]. Justice Douglas agreed.



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*Kempton at the Summit*

# The General Had To Dress for Dinner

*New York City*

Barry Goldwater must have lost control of the Republican Party. The strongest evidence is that he came to the Waldorf Towers on December 9 to ask General Eisenhower to save the party from Goldwater's enemies. Goldwater was making the trip that Harold Stassen made in 1956, Nelson Rockefeller made in 1960 William Scranton made in 1964.

Two days earlier, National Committeeman George Hinman, manager of the depleted but not yet exhausted Rockefeller political properties, claimed that the avenging moderates now had the 67 National Committee votes they need to oust Goldwater's Dean Burch.

The General was here in New York as guest of the Life Insurance Association of America: "An all-powerful government can rob a whole people just as surely as a pickpocket can steal from an individual," he told his hosts at lunch. "We must not tolerate [government's] increasing involvement in urban, agricultural and housing problems . . . we should attack our national problems at their roots, refusing to bury them under an avalanche of federal dollars." He was loved all the way through and applauded only twice. The gold rims of his putatively government-issued spectacles gleamed as he warned against the decay of freedom under federal paternalism. Still the father figure, still the rock of resistance to paternalism. It was hard, listening to him, not to feel some sympathy for the defeated Republican candidate of 1964. If Goldwater had made that speech, the moderates would cry, "See, this is exactly what we mean, he has learned nothing. He must go." But the General said these things and went upstairs to rest – the safe, if temporary property of the anti-Goldwater forces.

Goldwater and Burch arrived at the Waldorf at three o'clock, the appointed hour, to find their enemies beforehand. Mr. Nixon had taken a room in the hotel that morning and was waiting in the General's suite when Barry Goldwater entered. Governor Scranton had been the last Republican visitor to see Eisenhower before he left Gettysburg; Mr. Nixon was the first to greet him in New York. The General might have been a package mailed from Scranton to Nixon. It is remarkable how brilliantly the winning side is able to capture the General as soon as he has calculated what the winning side is. The print has not begun to fade on all we wrote about the shrewd and daring tactics with which the Goldwater people made Eisenhower their prisoner last summer. We ought now to begin to suspect that he is always his own master, too shrewd publicly to throw in with today's winning side of the party, because he is wise enough to know that it is tomorrow's losing one. His whole art has become the pretense of being a trophy, interchangeable in a continual Republican round of capture-the-flag.

Goldwater had brought Dean Burch along in the hope that the General might look upon him kindly, but the General did not look upon him at all. Burch sat outside while his patron talked to Eisenhower and Nixon for precisely 60 minutes. Sixty minutes is the time which Mississippi juries, having already made up their minds, take to deliberate before delivering their verdict, so that hostile observers cannot say they have already made up their minds. Then Barry Goldwater came to the lobby of the Waldorf Towers – by now an ugly, squalid wriggle of cameramen and journalists – to stand on a chair and bump his head on the chandelier and to show his bruises bravely with the brief declaration that he wanted no more blood on the ground, and that both sides would have to give a little. With all other eyes on this tableau, Dean Burch had gone as though he had never existed. The Senator said that he had no time for questions and must go back to Phoenix, and then went to the street to find Burch already in the car, and they departed. That appeared to be all there would be. But, after a while, there filtered down from the 34th floor the extraordinary intelligence that Nixon was still with the General and would come down as soon as they had finished. He was upstairs for 90 minutes and came at last to stand on the same chair and not to hit his head on the chandelier.

He had never been more gracious, more reasonable, more solicitous of, or more deadly to, the loser. The General, he said, had wanted to come down too, but he had to dress for dinner. Mr. Nixon and the General both agreed that Dean Burch had labored nobly. Still, it would be hard to keep him as National Chairman unless he represented the broad majority of the National Committee. Mr. Nixon and the General would, of course, not interfere with the National Committee, being "elder statesmen," but it was their view that a one-vote majority would not be enough. He wished Dean Burch well in the search to achieve a broad consensus among Republicans. Burch could stay, Mr. Nixon seemed to explain, if he would do a few small things, such as turning into Charles de Gaulle tomorrow morning. Then Mr. Nixon smiled, easily for the first time in years, and was gone. He had captured the flag. But in this game, when the flag is Dwight D. Eisenhower, no one can hope to keep it long.

MURRAY KEMPTON



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# Berkeley—Does That Banner Still Wave?

To those of us who, long ago, were undergraduates at the University of California at Los Angeles (this before buildings, bureaucracy, research staffs and professional schools had magnified a small community of teachers and students into an Institution) the University of California at Berkeley stood as an older, wiser brother. In the fall, we drove north to Berkeley for the big game, and there we walked under the lovely eucalyptus trees, savoring, envying a self-assurance that was shockproof. We felt this all the more because that year, 1934, the UCLA Provost, in a fit of anxiety and imprudence, had suspended five students for what later was called "subversive activity." They had done little, and what they had done was not "subversive," and after a month or so they were all reinstated. But not before there had been a splendid "demonstration" attended by several hundred students and one campus cop. During the height of our troubles, and before the five students had been reinstated, there appeared a serene editorial in *The Daily Californian* of Berkeley (I think it was titled "Grow Up"), chiding the UCLA administration for panicking and for so misunderstanding the character of a community of scholars. Of course, we said, they would know that at Berkeley; they're older, they know how to handle prickly students.

And now these past few weeks I have been hearing of riots at Berkeley, of classes called off, of students suspended or under threats of suspension. Hundreds are hustled off by the police to the Santa Rita jail, after having "occupied" Sproul Hall (named for Robert Gordon Sproul, the same University of California president who in 1934 reinstated the five UCLA students!). I read of a student hauled off to a police car, which is then surrounded and immobilized all night with the prisoner inside.

What has the Berkeley administration been up to? First, I gather, it allowed students to set up tables at designated places on the campus for the solicitation of funds and members for political causes (Cuba, CORE, conservatism); then it changed its mind and forbade such activity; then it was overruled by the Board of Regents; nevertheless it proceeded with disciplinary action against student leaders said to have violated rules since waived; then it summoned the entire student body to hear its announcement that no disciplinary action would be taken against these same students or against the sit-in protesters, and that the rules on campus political activity would be liberalized; and then, at that very moment, it stood by helplessly while a policeman grabbed and dragged along the ground a student leader who had taken the microphone to make a statement to the assembled thousands.

I have a telegram before me from the protesters, who call themselves the Free Speech Movement. It was sent when police were entering Sproul Hall to remove the sit-in demonstrators. The language is alarming: "Severe and sometimes brutal police action . . . students dragged away from the campus and being sent to prison work farms . . . horrifying to some of the students, especially the young girls . . . this is a desperate situation."

I have, too, a letter from the press officer of the Free Speech Movement (the demonstrators seem to have an efficient staff organization) who writes that "FSM is based on a confederation of some 19 organizations, comprising political clubs ranging from the Young Republicans to the Du Bois Clubs, social action and civil rights groups, religious fellowships and graduate and undergraduate associations formed especially for the purpose of securing free speech on the Berkeley campus." His letter proclaims the movement's determination to resist "the trend to authoritarianism in bureaucracy." He says that "the victor in this dispute – political responsibility or administrative oligarchy – will be determined in the way familiar to the nonacademic world, by a power struggle." "Power struggle"? This is not the language of polite petitioners; here speaks another generation, taught by Mississippi.

One section of the Free Speech Movement's "platform" says: "In the area of civil liberties, an individual has in effect no rights unless he has a voice in the enactment, interpretation and enforcement of rules which govern his conduct." I stop at that. Can a university with over 27,000 students be run like a town meeting? What precisely, I ask myself, do these students want?

It's not easy to find out, but the background seems to be this: During the recent Presidential campaign, student political groups, some allied with off-campus organizations, actively recruited volunteers and money for assorted causes, especially civil rights. Technically, that appears to have been in violation of university regulations. It was nonetheless permitted at designated areas. Then, for reasons that have not been publicly explained, and rarely are, someone in the administration, presumably the Chancellor, decided that things had gone too far, and that henceforth such solicitations on campus should be banned. This provoked student reprisals. The administration then reconsidered, and reversed itself. But by that time, a student movement was airborne. And when it was learned that the administration, despite a belated agreement to permit political activity, was still contemplating disciplinary action



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against four FSM leaders, 800 students moved into Sproul Hall for the night and were forcibly ejected and arrested. A committee of the faculty frantically intervened. That in turn led to the almost complete capitulation of the administration, announced at a mammoth gathering of the student body. That conciliatory effort, however, blew up when the student at the microphone was seized by the cop. Within an hour 5,000 students gathered for another demonstration.

It was at this point that the academic senate of the university stepped in and reached for the central issue still dividing the Free Speech Movement from the administration. No longer was the question whether the administration would allow political solicitations at designated areas. That was settled in the affirmative. The unresolved dispute boiled down to this: If a student goes to Cuba, say during summer vacation, or incites other students to go to Cuba in violation of a federal law, and if that transgressing student on his return to the US is convicted in the courts; or, if a student sits in at a San Francisco hotel or one in Mississippi and is arrested for trespassing and found guilty by the courts – in any such case should the university have the right to discipline the offending student – to suspend or expel him? The students say no, and last week the academic senate voted 812 to 141 in support of the student position. In brief, the faculty opposes any university restrictions on student advocacy, even though that advocacy on campus might lead to actions subsequently found illegal. The dispute now moves to the Board of Regents.

The commonsense answer seems to me that political protest is one thing and crime another; that the test of one's qualification to remain in a university should be academic, not political. Of course there must be rules, and many of them cannot be made or interpreted by a student body at large. Presumably, no administration could tolerate the setting up of recruitment tables in crowded hallways, so that student traffic to and from classrooms becomes hopelessly blocked. In this instance, "free speech" would have to give way to orderly access. Nor would the Free Speech Movement, I imagine, say that university administrators are obliged to retain in good standing a student or faculty member who has been convicted of rape, murder, or the bombing of a church. Clearly, an administration should have the right to decide that any such person could be expelled. Nevertheless, universities have no business interfering with peaceful protest on the campus or with political advocacy that might lead to illegal actions off-campus.

One wonders, finally, whether so large a "Multiversity" doesn't deserve disruption. Aside from the tangled politics (never forget the state legislature, from whom most financial blessings flow), and the fine legalities, here is genuine protest against bureaucratic rigidity, against the impersonality of an institution in which few teachers any longer have students, and students see teachers through the long end of a telescope. Learning becomes a series of impersonal assignments, committee functions, degrees to win, books to write, lectures to attend.

For the moment, Berkeley is in order, if not at peace. Pickets have put away their placards, classes have been resumed, and so it will remain if the regents behave sensibly. And in five or ten years, the demonstrators will talk nostalgically about the old days and think that the new undergraduates have no fire in their bellies. Meanwhile, the Multiversity, as the University of California's president, Clark Kerr, has written, remains "a confusing place for the student [who] has problems of establishing his identity and sense of security within it." The intellectual world, he adds, "has been fractionalized as interests have become much more diverse. . . . Faculty government has become more cumbersome, more the avocation of active minorities; and there are real questions whether it can work effectively on a large scale, whether it can agree on more than preservation of the *status quo*."

GILBERT A. HARRISON

# War Games for Kids This Christmas

There has been a "dramatic upsurge in the popularity of war gaming," according to a current how-to-do-it called "How To Play War Games in Miniature." A new board game called "Risk" is a product of Parker Brothers, Inc., manufacturer of "Monopoly," the real-estate trading game and best-seller since 1935. "Risk" is a game of world conquest in which the players range themselves around a somewhat distorted map of the world (China has dwindled to about the size of Australia, and Russia has ceased to exist altogether). By casting dice, drawing cards and so advancing or withdrawing armies, the players strive to subjugate the world. The instruction booklet declares the object of the game is "to occupy every territory on the board, and, in so doing, eliminate the other players."

Creative Playthings, Inc., is offering a "family game" called "Diplomacy" in which the progress of armies across a map of the world is assisted by "secret plotting" and "rumor spreading." The Milton Bradley Company's entry is called "Stratego." A key role is played by assassination. ("Even the 'Marshal', the highest-ranking piece, has a weakness in that the lowly 'Spy' can remove him from the game.") The instruc-



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tions insist, "Stratego . . . is not a war game," then go on to describe "bombs which blow up and remove any attacking piece."

The Avalon Hill Company's "Tactics II" is a "full-scale war game." Players are urged to unleash a nuclear holocaust, with atomic and hydrogen bombs and a choice of sophisticated delivery systems. According to the rules, artillery can shoot atomic (fission) bombs a distance of four squares, destroying all personnel and structures on the square they land on; rockets may be used to dispatch a hydrogen (fusion) weapon a distance of seven squares, devastating 16 squares where they fall; and ICBM's can deliver a thermonuclear warhead "the full length and width of the mapboard," coming very close to achieving in one fell swoop the object of the game, which is "to eliminate all opponents."

In the Milton Bradley Company's "Summit – The Top-Level Game of Global Strategy," exchange of nuclear missiles is high-mindedly excluded, and the instructions merely encourage the players to exchange threats ("use 'threats' of military strength as weapons for domination, or retaliation to others' 'threats' ").

"Combat!," manufactured by the Ideal Toy Corporation, has four-color illustrations of battle action, to get players into the fighting spirit, and such boxtop directions as: "A player landing on a space occupied by any opponent must yell COMBAT!" "Combat" is adapted to the weekly ABC-TV war-story program of the same name, and thus provides an opportunity to re-experience each televised "Combat!" over and over.

Some new games, like "Gettysburg," "Waterloo" and "Afrika Korps," are advertised as history lessons. The Avalon Hill Company's "Afrika Korps" begins with a token representation of the war in North Africa as it was "on the night of March 31, 1941 [when] Rommel launched the first of many brilliant offensives that earned him the famed title – 'The Desert Fox'." The game ends in August, 1942, when the historical Rommel was outfoxed and overpowered, but in the game there has to be an even chance that Rommel can win. To make a history lesson like *that* more palatable, the Nazi field-marshal has been stripped of his swastikas and is represented by the Kaiser's Iron Cross.

Another history game, which meticulously recreates the battle of Stalingrad, has a rule specifying: "When half the number of men attacked are killed, a dice has to be thrown to determine the morale of the remainder." We have come a long way since the day when Hoyle's classic work on games contained nothing more provocative than "Whist" and "Draughts."

The father of the modern war game was H. G. Wells, who wrote the first book on the subject, called *Little Wars*, back in 1913. Wells devised 20 rules for his game, including elaborate covenants for the humane taking of prisoners, and the game took "an afternoon

and evening" to play. There is a rather beguiling picture in the book of Wells, then a man of 47, down on his hands and knees advancing a battalion of toy soldiers across his lawn.

Wells' idea – probably influenced by William James' "moral equivalent of war" which had been published just two years earlier – was that "tin murder" would serve as something of a "homeopathic remedy" for mankind. "Let us put this prancing monarch and that silly scaremonger," Wells wrote in *Little Wars*, "and all these excitable 'patriots', and those adventurers, and *all* the practitioners of *Welt Politik*, into one vast Temple of War, with cork carpets everywhere, and plenty of trees and little houses to knock down, and cities and fortresses, and unlimited soldiers – tons, cellarsful – and let them lead their own lives there away from us."

As Wells penned these words, the German High Command was playing *Kriegspiel*, a strategic map game which demonstrated the enormous ease with which German troops might sweep through Belgium on their way to Paris. A certain Colonel Mark Sykes began plying Wells with questions about how to improve the British Army's gamesmanship. By August, 1914, the military gamesters of the world were no longer content with make-believe.

WILLIAM H. HONAN



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*A Democratic Dissent*

# The Republican Party Has No Future

The confidence of the Goldwater Republicans rested on an error: that there was a large stay-at-home conservative vote that their man could bring out. Any student of American voting could have assured them this was untrue. There is no evidence it ever has been true. The anti-Goldwater Republicans now say that the election was a permanent, total repudiation of extremism and that the Republican Party has no future unless it returns to moderate platforms and candidates. This, I take it, was the gist of Malcolm Moos' argument in these pages last week and the basis for what he called "a bracing belief in Republican survival." This too seems to me fallacious. In my opinion, the Republicans have no future, even if they take the road back.

But doesn't the US need a two-party system in order to be an effective democracy? Probably it does, but major political parties have disappeared before and have always been replaced. The Republican Party is about the only thing that has held the Democrats together at times, and I am sure that, should it vex us by disappearing, there are enough differences of opinion among the Democrats to provide the country with at least two parties, and more if necessary. After all, in 1948 we supplied the recruits for three parties, one of which won. On the other hand, we have made out fairly well competing with the Republicans for the last 100 years, so if they manage to patch things up, that's all right, too.

Party affiliation means less in America than in Britain. Voters who consider themselves Democrats will choose Republican candidates; under somewhat greater pressure, Republican voters will vote for Democrats. But to the extent that party affiliation does mean something it probably means that if other things are equal, one will choose a candidate of one's own party. Nationally and in an increasing number of states and localities this means that, other things being equal, the Republican candidate will lose. The Republican nomination is a handicap, heavy in some districts, light in others. It is better than no nomination at all to an aspiring statesman, but it still has to be overcome. How does one overcome it? By stressing personality, or transitory dissatisfaction with the incumbent, or corruption; anything to dominate party-line voting.

All the reliable indicators of voter preference, *e.g.*, election results, registrations, surveys, and social and economic trends, suggest that Republicans are a steadily decreasing minority among the partisan participants of American politics. If this trend is to be overcome, there must be some new permanent realignment of political parties which attracts many former Democrats to the Republican banner. One possible realigning principle is domestic conservatism, but the same surveys which suggest that Republicanism is a withering cause suggest that on domestic issues there is something like a 60-40 preference for more federal government services for schools, health and job security.

My guess is that foreign policy is similarly barren ground for Republican restructuralists. America's principles for the conduct of world affairs have been more or less consistent from Truman through Eisenhower, Kennedy and Johnson. The record of these years is flawed but not disastrous. As one voter whom I canvassed in 1964 observed, "We haven't beaten the Communists but we haven't been blown up either, and we haven't lost." If this were a profitable issue, Goldwater should have done better in the Midwestern and Far Western states, where discontent with American foreign policy is endemic.

One possibility remains, frightening to the moderates, disquieting to all liberals, attractive to Goldwater's backers if they are at all skilled at political calculus. It is, of course, race. Goldwater's victory in the South suggests which part of his campaign worked. The passage of the anti-open-housing amendment in California, the victory of a candidate to the Detroit City Council who engineered a similar referendum victory in Detroit, the white picketing of New York schools, and the fairly recent maneuverings of a Chicago suburb to prevent high-income Negro housing, suggest that it can work in the North as well.

The consensus of political commentary is that 1964 was a dirty campaign, though it seemed about average to me; perhaps less vicious than the 1936 campaign. If the Goldwater Republicans can hold on to the nominating machinery of the party in 1968, however, I would expect a really nasty fight, perhaps matching the furor of the late 19th Century. The Republicans can't do worse than 1964, unless they nominate two candidates. Almost all the Negroes who could vote picked Johnson, and my guess is that most of the whites sympathetic to the Negro civil rights movement did too.

Negro demands for political and economic equality are just beginning. The Civil Rights Bill of 1964 is merely an opening wedge, and the anti-poverty program can't possibly have much of an ameliorating effect in four years. The race-related strains in our political system are likely to be greater in four years than now, and if the Republicans can complete the 180 degree turn from abolitionism, their chances are brighter



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than under any other strategy.

Will this be bad or good for the country? As a reasonably liberal Democrat, it seems to me a victory for Goldwater-style Republicans would be a disaster. But for them to run closer than in 1964, particularly if this means that the Democratic Party will lose its bigots, is not too frightening a prospect.

Goldwater himself has asked for a party realignment and his supporters control enough of the formal party machinery to make his chances of producing one fairly good. The Republican moderates have the most to lose under such circumstances. Some of them, like New York's Javits, might be able to remain in office as nominal Republicans but really independents; George Norris and Fiorello La Guardia come to mind as parallels.

It might be possible under ordinary circumstances for the two wings of the GOP to heal the breach by compromise and negotiation, or, as the Democrats have in the past, by pretending it isn't there. Both sides have run up enough battle flags in the last month to exclude the latter course, and the unwillingness to compromise – the "extremism" of the Goldwater forces – is what produced the fight in the first place.

Political forecasting is a risky business. But I predict that the issue of Republican strategy will remain in doubt right up to the 1968 convention. At that time the Goldwater forces will win and the party realignment that Willkie and Roosevelt tried to plan for postwar America will occur 20 years late, and will be produced by conservatives.

Living in a democracy is a risky business, too, but from great risks come great profits. The Johnson landslide of 1964 may be expected to generate as much forward-looking legislation as did the Roosevelt victories of 1932 and 1936. If we want a moving rather than a static political system, party realignments are necessary to shake out the dust of outmoded political alliances.

Lyndon Johnson now ranks with FDR and Warren Harding as the three 20th Century Presidents with the largest popular majorities. No politician with a sense of history can refuse the temptation to emulate the former rather than the latter, and if a couple of risky elections will help him on his way, I think he'll take the chance, with the aid of the Goldwater Republicans.

If the Republican Party collapses under the strain by nominating two candidates in 1968 as they did in 1912, it probably means the disappearance of the Republican label from the political scene. For the 1912 split divided a majority party, while a 1968 one would splinter a declining minority. This could produce something akin to an "era of good feeling," which simply means that the hard feelings which abound are not being exploited by the political system. As I suggested earlier, the Democrats might step into the gap by dividing too, and the occasion for their division will likely be the naming of Johnson's successor. As a matter of fact, in the long run, instability of the Democratic Party might well show up in 1972 whether the Republicans split or not; but that's a future story. ROGER H. MARZ

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# India's New Military Strength

*by Stephen Hugh-Jones*

Within two years of being ignominiously defeated by the Chinese, India is well on the way to becoming, by Asian standards, a major military power. Its armed forces, now nearly 900,000 strong, have almost doubled to become the fourth largest in the world. Its defense budget has nearly trebled. With the explosion of the Chinese nuclear bomb, still greater defense spending may be in prospect.

These developments amount to a profound change in the Asian strategic balance, and perhaps a significant one in the world balance. They were actively encouraged by the Soviet Union, at least until the fall of Khrushchev, as well as by Great Britain and the United States. But the decisive element was the compulsory revolution in thinking, the reordering of priorities, that was forced on the Indian government by the Chinese. No more as a nation than as individuals have the Indians ever been the non-violent people that Western admirers of Mahatma Gandhi supposed. They cheerfully used their armed forces when Indian interests were involved: to defend Kashmir in 1947, to take

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over the would-be independent state of Hyderabad in 1949, in Nagaland since 1956, and to oust the Portuguese from Goa in 1961. Their failure to defend the Northern frontier adequately was the result of diplomatic and military mistakes, not of simple goodwill.

In the late fall of 1962, Chinese armies were overlooking not some disputable patch of mountain or jungle, but the plains of Assam – and there seemed to be nothing whatever to stop them going there. Since then, military security has ranked as high as economic development in India, and higher than any other single aim. There has been public criticism of the way the government has set about achieving it, but virtually none of the basic aim itself. The economic technicians, but not the public or the rank-and-file politicians, worry about a defense budget approaching $2 billion (trivial by American standards, but about a third of the British defense budget, and less trivial than it sounds because of India's low rates of pay). The Indian public detests higher taxes and ever-rising prices yet seldom questions the defense expenditure.

The government has capitalized skillfully on Western and Soviet affection for Indian democracy (the Russians were genuinely frightened at one time that Nehru would be displaced by a right-wing dictatorship); by fears of China, and by the West's fear that if the West did not provide arms the Russians would, and vice versa. The first Western agreement to provide military aid to India came at the Macmillan-Kennedy meeting at Nassau in December, 1962, when the two countries agreed jointly to provide around $120 million of equipment. Some time later the Russians must have agreed, without announcing it, to add substantially to the assistance – six MIG-21 fighters – which they had promised before the Chinese attack and which they delivered in January, 1963. By May this year India may have received or been promised perhaps $150 million worth of Russian military aid in the form of MIG's, assistance toward building further MIG's in India, helicopters and small quantities of ground-to-air and air-to-air missiles.

### *More Planes and Ships*

The main military-aid agreements came this year. In Washington in May the Indian Defense Minister, Mr. Yeshwantrao Chavan, was promised more than $500 million, roughly half in grants, half in loans, over the next five years. Moscow in September made him commitments amounting immediately to around $140 million and ultimately a good deal more. He left London last month with known promises that will ultimately cost Britain around $50 million.

These figures, though they may conceal larger, unpublicized promises, do not look large beside the $10 billion plus that India plans to spend on defense over the next five years. But they will have a more than proportionate effect in bringing India's forces up to date. Both Britain and Russia have offered to provide the Indian navy with its first submarine. Britain is providing finance and technical know-how for the building of frigates in India, and is likely later to offer to replace some of India's aging destroyers. Transport and training planes have come or will come from the United States and Canada. The US is supplying radar and other sophisticated electronic equipment. The Russian deal (which the Indians swear blind they have been promised will still be carried out) should bring India the supersonic fighters it has been persistently refused by the West: up to three squadrons of MIG's, and a speed-up of the dawdling project for MIG's to be built in India. The Russians also offered some – perhaps 70 – light tanks which will at least fill a gap before light tanks are built in India. British and French technical assistance for these has been offered, and a British firm is already helping to build medium tanks.

All these are in addition to Western or Communist supplies of arms and ammunition, and help in the construction of ordnance factories. Indian armaments and soft-skinned military-vehicle production has probably trebled overall since 1962. The first Indian-designed and Indian-built Mach-1 planes are now slowly reaching the Indian air force.

The Chinese position has been further weakened since 1962 by the dispute with Russia. Though it is not likely that there has been any large-scale troop movement to the Sino-Russian border, China cannot assume (and this seems to me still true after Khrushchev's fall) that its Western frontier would be a friendly one, in the event of any Chinese attack on India. The Chinese armed forces are more than twice as large as India's; but they have the 600,000 troops in Taiwan and the risk of escalation in Vietnam also to consider. Their air force, though three times the size of India's is less modern, and, thanks to the Russians, is desperately short of spares, fuel and therefore of flying training.

India – the largest single gap in the ring of alliances with which John Foster Dulles hoped to contain Communism – has therefore been closed. Maybe that is a good thing. Certainly it is for India. But its consequences may not all be good.

Internationally, one is already apparent. In getting weapons to defend itself, and in its strident anti-Chinese propaganda, India has unquestionably lost the leadership of the non-aligned world, leadership that it had exercised soberly and that had more than once enabled it to mediate dangerous conflicts between the West, the new nations and the Communists.

Secondly, in closing the Indian gap we may have opened a Pakistani one. Pakistan, whose Eastern wing



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– half its population – was always indefensible, is now hopelessly inferior to India. Its armed forces are outnumbered three to one. Even its air force, whose solitary squadron of F-104 Starfighters may have given it a slight edge, can barely claim equality. This could not be helped, if India was ever to match China. But it gives the Pakistanis every reason, if they have not done so already (and their recent visitors have included the commander of the Chinese air force), for seeking a military understanding with China. Alternatively, they too may be driven into a search for arms anywhere they are available (which could include Russia).

Then, too, though it is not usual, we might spare a thought for the Chinese. Most Western estimates suggest that their military thinking is now essentially defensive. They may genuinely fear the supposedly aggressive Indians backed by "American imperialism." They may strengthen the 250,000 troops they are estimated to have on or near the Indian frontier. They also have the incentive to discredit the Indian government at home and abroad, using subversion where force has failed. All these have dangers for India, and the world.

There is little to show that the Western governments are responding adequately to the risks their own justified help to India has created. The Pakistanis, who have given similar promises themselves, regard Indian assurances that Western arms will not be used by India against Pakistan as so much hot air. I know, because I've lived there, that the idea of India thirsting for Pakistani blood is pure myth; but I am not a Pakistani. Many Pakistanis believe the myth; any Pakistani will point out that there is at least a risk of war between the two countries, in which his country would lose. What concrete steps are we taking to reassure Pakistan against this unavoidable imbalance of power?

The internal risks of India's arms policy may be, but need not be, still more serious. The defense burden is adding to the frightening inflation caused by a comparatively trivial shortage of food. Much further off, those who favor apocalyptic theories of Indian democracy may like to speculate on the effect of doubling the military establishment in a country where "politician" is by now something of a swear word, and where the politicians have shown themselves no more disciplined or less corrupt than in the last sad years of Prime Minister Nehru.

# THE SNOOPS

## *Private Lives and Public Service*

*by James Ridgeway*

Fear for the nation's security is not the burning issue it was in the 1950's, but the government is still prying into the remote reaches of people's private lives before they can be hired, then badgering them with all sorts of peculiar inquiries once they are. Investigators want to know about your parents' politics, whether you believe in God, how deeply involved you may be in the civil rights movement, and how often you sleep with your girl friend.

Job applicants and employees of various government agencies are run through batteries of psychological tests meant to reveal some latent sex deviation. The personnel people, who apparently have come to imagine they are psychiatrists, bother employees with silly, indecent questions about the workings of their private parts. One woman's *risqué* comment at a cocktail party was questioned during a security interview as indicating a possible tendency toward loose morality.

A good deal of this is occasioned by the government's fear lest it hire a homosexual by mistake. Because they are believed to be especially susceptible to blackmail, homosexuals are supposed to be incapable of keeping a zippered lip. They are barred from all government work, even though many jobs have nothing whatever to do with national security; employment in them, one might hope, should depend on the individual's abilities to perform the work.

Sometimes, however, the hunters of homosexuals get caught up in their own machinery. Lie detectors, gadgets which register emotional reactions and are used



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by various agencies to screen out undesirables, now are suspected of actually turning away conscientious, virile Americans so badly needed by the CIA for spying. (It turns out that normal young men may be nervous about revealing details of their sex life and end up flunking these tests, while homosexuals, who are less fearful about theirs, pass with flying colors.)

Snooping where matters of high national security are involved is understandable, although the most scrupulously decent security procedures are in the Atomic Energy Commission, which historically has had the most to be secret about. But recently the Civil Service Commission began prying into the private lives of people working in nonsensitive jobs. In several cases now under way it is viewing the political affiliations of an employee's relatives or friends as grounds for beginning disqualification proceedings, even where no question has been raised about an employee's loyalty, or any suggestion he isn't doing his job properly.

### *Possessed by Evil Spirits?*

It is difficult to know how general these excesses are; most people don't want to talk about their experiences. But following are several indications of just how unpleasant working in Washington can be:

A 17-year-old high school graduate left the South in 1960 to seek work in Washington. Before he could be hired as a clerk in a security area of the State Department, he had to go through a day-long interview. He sat in a small, closed room facing the interrogators, two State Department security agents. Apparently they suspected him of being homosexual. When he rode the school bus did he sit next to boys or girls? When he sat next to boys, did he touch them? Would he describe the function of the sex organs. Had he used his in the proper fashion and how often? Had he read sex magazines? What would provoke him sexually – sweet perfume or soft music? The boy said he didn't know. It would take more than that. But, said a security man, he must know. He must answer. Sometimes, the young man recalls, he would tell his interrogators he just didn't know what a question meant. You can't say that, replied one of them. Do the best you can.

They asked him how his father voted, what were his father's politics. Were his parents religious?

The boy was passed over for the job. But he wanted to work for the government, and over the past three years he has been accepted in eight different jobs – all of them in sensitive sections of the government – only to be asked to leave when the State Department file on him shuttles down the line to the agency personnel office. Finally, he went to the Civil Service Commission, where the permanent file was kept. There a man told him that as far as the Civil Service Commission was concerned it contained no derogatory information; but, the man said, it did contain things that might make other government agencies "wonder" enough to keep from hiring him. So the young man obtained special permission to insert a statement into his file which seeks to clear up whatever doubts about his sex life may arise from a reading of his extraordinary day in the hands of the State Department agents.

The State Department also gives psychological tests. One woman employee applying for the Foreign Service was told to answer "quickly and without thinking or deliberation" the following, true or false:

Once in a while I think of things too bad to talk about.

My sex life is satisfactory.

Evil spirits possess me at times.

I have never been in trouble because of my sex behavior.

I am very strongly attracted by members of my own sex.

I believe in a life hereafter.

I have never indulged in any unusual sex practices.

I read the Bible several times a week.

There is something wrong with my sex organs.

Another part directs, "Complete the following in several sentences or less as desired: I love .... I hate .... God is .... I am ashamed .... Boys ...."

In a third section, she was asked to indicate whether she was troubled, and to what extent, by matters including:

Deciding whether I'm really in love.

Being too inhibited in sex matters.

Confused in my religious beliefs.

When Senator Sam J. Ervin Jr., chairman of the subcommittee on constitutional rights, asked the State Department what information gained in these tests could justify such an invasion of privacy, he was informed that in cases where there is an emotional or security problem these tests were necessary "to provide suitable help to the individual and to protect the interests of the US government."

The State Department is not the only place that goes in for this interesting interrogation. The Labor Department has asked applicants for the department's Youth Opportunity Program such things as whether they believed there was only one true religion, and how often they got "excited or thrilled."

The Senate subcommittee on constitutional rights has received several complaints that investigators exert pressure which may discourage people from asking for counsel during security interviews. Policies in this regard differ among government agencies. In a survey, not yet complete, 25 agencies out of 38 claim they don't discourage or deny presence of counsel, family member or friend. The survey indicates that several agencies



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including the Atomic Energy Commission and National Security Agency, which deal with highly sensitive material, allow counsel, friend or relative at interviews, while the Civil Service Commission, the US Information Agency and the Navy Department do not.

### *The Right To Counsel*

In instances where counsel is forbidden, agencies claim they are only trying to protect the individual and national security. "This practice," says the Civil Service Commission, "limits the disclosure of alleged derogatory information to the employee and protects him from the disclosure to others of allegations that he may be able to refute successfully during the interview."

The US Information Agency applies to both applicants and employees its policy of not permitting third parties at security interviews. Individuals are, however, advised that they may consult with counsel before answering any question or signing a statement – whatever in the world that means. The Defense Department policy in this regard appears wholly inconsistent. The department itself says it neither discourages nor denies persons right of counsel. But the Navy Department claims that while it does not deny the right of counsel when it is requested, under normal circumstances it discourages counsel on the grounds that it would "hinder or defeat the very purpose of the interview by creating a formal legalistic atmosphere that could prove restricting." On the other hand, the Air Force permits counsel; so does the Army "unless the purpose of the interview or the interests of national security would be compromised."

In one case, Mr. Lawrence Speiser, head of the American Civil Liberties Union's Washington office, sought to represent his client, a Peace Corps job applicant, at a security interview conducted in behalf of the Peace Corps by AID. AID's chief security officer first told Speiser it was against agency policy for individuals to be accompanied or represented by counsel during such an interview. But Speiser persisted and after a heated exchange the matter was carried to the Peace Corps which agreed to his presence. (Later, David E. Bell, administrator of AID, in a letter to the ACLU stated it is agency policy to afford individuals right of counsel in security interviews, the opposite of what the chief of security said.)

At this interview, the Peace Corps applicant was asked such questions as: Had he ever subscribed to the *National Guardian?* Had he signed a statement opposing the House Un-American Activities Committee? Did he support Red China's admission to the UN? Had he signed a petition opposing the Supreme Court's decision on the McCarran Act in 1961? There was a long exchange over the propriety of the applicant's reported criticisms of J. Edgar Hoover, what he thought liberalism meant, and a vague discussion, begun by the security man, on the views of Senator Wayne Morse.

Not long ago a Defense Department official sought to enlighten security investigation procedures of the military. In November, 1962, Walter T. Skallerup Jr., deputy assistant secretary for security policy, sent out a memorandum to the three services. "In order to insure that inquiries and interrogations conducted in the course of security investigations and adjudicative proceedings do not violate lawful civil and private rights, or discourage lawful political activity in any of its forms, or intimidate free expression or thought," he said, investigators should take care not to inject improper matters into security inquiries. "For example, religious beliefs and affiliations or beliefs and opinions regarding racial matters, political beliefs and affiliations of a nonsubversive nature, opinions regarding the constitutionality of legislative policies, and affiliations with labor unions are not proper subjects for such inquiries.

"Inquiries which have no relevance to a security determination should not be made. Questions regarding personal and domestic affairs, financial matters, and the status of physical health fall in this category unless evidence clearly indicates a reasonable basis for believing there may be illegal or subversive activities, personal or moral irresponsibility, or mental or emotional instability involved. The probing of a person's thoughts or beliefs and questions about his conduct, which have no security implications, are unwarranted. . . ."

Skallerup enclosed a list of the types of questions he proposed to rule out, and asked the services for their comments before incorporating them in a Defense Department directive.

There never was any directive. Instead several months later, the ACLU went to the assistance of a young Army reservist who had served six months' duty in 1957, received an honorable discharge, and was placed in a standby control group. He had suddenly received visits from Army security agents.

During two different interviews the reservist was asked questions violating Skallerup's memo.

Here are some samples: "For the purpose of administering the oath, do you believe in God?"

"Let's say Kennedy or Khrushchev, they make the decision. Would Kennedy feel that your actions or opinions are of the best interest to the United States or would Khrushchev?"

"What do you call yourself?"

"If you can't give yourself a label, can you just explain what you are, since you can't say you're a Rockefeller Republican, Goldwater Republican, Liberal Democrat?"

"Are you associated with people you can classify as



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leftists? Do you have friends that you think might be to the right of center? Do you have any friends that are in the middle? . . . Where does your father fit in in this scale from right to left? Is he a member of the Socialist Party? Are his views further to the left than yours? How about your mother? . . .

"Are you a member of the NAACP or CORE?"

In his memo, Skallerup had said, "Department of Defense representatives always should be prepared to explain the relevance of their inquiries upon request. Adverse inferences cannot properly be drawn from the refusal of a person to answer questions the relevance of which has not been established."

The interviewers asked the reservist: "Why do you decline to answer any of the questions concerning your father's, your mother's, your stepmother's organizational affiliations, personal associations?"

*The Well-Rounded Man*

Sometimes the security agents seemed to be tangled in their own nets: "If you tend to the left, you don't have a well-rounded association, is that right?

"I don't want to judge you. We're trying to get your opinion. You belong to the Fair Play for Cuba to get the leftist view of Cuba. You read the *Times* to get the middle of the road; you don't read anything to get the right view, or maybe you do. You read *Time* magazine which maybe will throw in a little bit to the right.

"Do you see what I mean? What about your associations, you seem to be a well-rounded individual as far as reading goes, now are you well rounded as far as association goes?"

The ACLU asked the Army what possible interests of national security could be served by asking these kinds of questions of a reservist, then so tenuously connected to the armed services. Finally, a year and a half after the questioning began, the Army admitted the questions should not have been asked, apologized to the reservist, and said it considered the matter closed. Yet the records of these interviews are still carried in its files because, said the Army, "such procedure is in his and the government's best interests."

While all this was going on, the ACLU got another request for help, this time from an Army private on active duty who had received a visitation from an intelligence agent, who asked him among other things:

Had he read *Lord Jim* by Conrad? Why did he protest against racial discrimination in the Washington, D. C. area?

The private had complained that the agent never explained to him what relevance these questions had to the investigation. In response to an ACLU inquiry, however, the Army said it was basic policy not to "abridge the constitutional and civil rights of an individual nor subject him to harassment or indignities. Questions concerning religious, racial, personal, domestic and political matters are proposed only when necessary and pertinent to the purpose of investigation."

After further inquiries by the ACLU all three services blandly said their security investigating policies were in line with Skallerup's memo, yet they steadfastly refused to disclose the regulations themselves. And as the Army reply indicates, its regulations are directly opposed to Skallerup's proposed prohibitions.

Anyone who believes these episodes are sometime things, unfortunate mistakes by sorely tried personnel managers, might take a look at the case of William Lyman Dew. After serving in the Air Force in 1955, Dew obtained employment in the CIA as a file clerk handling coded data. In order to obtain the necessary "secret" security clearance, he was required to take a lie detector test. He admitted committing at least four homosexual acts, some of them for pay, in 1950 when he was 18 or 19 years old. He also admitted smoking marijuana cigarettes on at least five occasions in 1951 and 1952 during Air Force service. CIA officials thereupon allowed Dew to resign his post and he did so. He then got a job with the Civil Aeronautics Authority as an airways operations specialist, subject to a probationary period of one year and subject to investigation. He served 20 months as air-traffic controller at Denver, receiving one promotion and a performance rating of satisfactory. In May, 1958, the agency got possession of the CIA reports, and notified Dew his removal was proposed. Charges were filed; Dew replied, repeating his earlier admissions, but asked time to file a "psychiatric evaluation." This was denied, and his discharge was ordered. Dew appealed to the Civil Service Commission which affirmed the agency's decision. Dew then filed suit for reinstatement and other relief in federal district court. This was granted on the grounds that Dew had not been given sufficient time to file supporting affidavits.

Dew was reinstated, but some weeks later the agency again filed charges based on the same incidents. This time, Dew was permitted to file a psychiatrist's report. The psychiatrist wrote, "In short, it is my impression that Mr. Dew mentally and emotionally is functioning at this time entirely within the normal range, and I do not doubt that he has been doing so for at least a period of several years. He appears to be happily married and has assumed the responsibilities of parenthood without evidence of regression or emotional instability. He seems to be adjusting in his job. And I do not know what more one could ask.

"Furthermore, I decidedly do not believe him to have a homosexual personality disorder. I believe that the several incidents which he gave a history of having engaged in while age 18 and a freshman in college



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were isolated incidents primarily the result of his curiosity. I do not believe they have been repeated. . . ."

The agency then notified Dew it had reviewed the material, and sustained the charges. Dew next filed with the Civil Service Commission. After a hearing at which the psychiatrist testified, the examiner affirmed the dismissal. The Board of Appeals and Review of the Commission also affirmed.

So Dew again went into court, losing both in federal district court and by a 2-1 decision in the US Circuit Court of Appeals for the District of Columbia. In his opinion for the majority, Judge George T. Washington said the agency had authority to "remove an employee when his 'conduct or capacity' is such that his removal will promote efficiency of the service. We lack the background and experience to say, contrary to the agency's judgment, that efficiency will not be promoted by removing one from such a post as was held by appellant, when his questioned 'conduct or capacity' in the past did not demonstrate qualities of character, stability and responsibility."

In dissent, Judge J. Skelly Wright wrote, "If this ruling remains the law, no civil service job is safe. Any civil service worker who becomes *persona non grata* with the powers that be may have some historical research made on his pre-employment background in an effort to turn up something 'disqualifying'. Even the innermost secrets of the civil service worker, long buried and known only to himself, may be the subject of inquiry. For example, as here, a lie detector test may be administered to the worker during which he may be asked all manner of questions, the scope of which may be directly proportional to the intensity of the desire of the government agency to get the worker's job. The mere threat of this kind of inquiry would be sufficient in most cases to cause the resignation of the worker marked for dismissal. . . .

"There is no suggestion here that Dew is a homosexual or a dope addict. The government admits this. And the uncontradicted psychiatric testimony, as shown by the court's opinion, confirms that Dew is 'normal' in all respects. Thus the net effect of Dew's dismissal, in addition to undermining the integrity of the civil service system, is wrongfully to deprive an Air Force veteran with permanent civil service status of his job which he badly needs to support his wife and two children."

Finally the Supreme Court agreed to hear the appeal; but both the Solicitor General's office and the Civil Service Commission favored an out-of-court settlement rather than bring to a test the government's right to fire an employee for acts committed before he entered federal service. So this October, Mr. Najeeb Halaby, FAA administrator, ordered Dew's reinstatement and gave him $12,000 in back wages so "justice can be done." Recent tests, Halaby declared, had shown that Dew is "fully rehabilitated and competent . . . and should not be scarred for life for a youthful mistake."

The information on which Mr. Halaby based his magnanimous decision, of course, was fully available to the government eight years ago when it began this appalling case.

### *Ratting on Your Parents*

Now there is an even more sickening trend afoot. The ACLU is making inquiries at the Civil Service Commission to see whether it really means to proceed in a rash of questionnaires it recently sent out to low-level technical and scientific personnel in nonsensitive jobs. These are probationary employees, that is, they haven't been in their jobs for a year, and the questionnaires remind them they were hired subject to investigation to determine "suitability." They invite comments on various "reports": that the individual's relatives were alleged Communists in the early 1950's; that some relative took a trip to Cuba; that an employee, while a student, had been invited to attend a progressive youth club meeting; that an employee was on the mailing list of a left-wing organization. The inquiries ask for detailed information about the extent of the employee's knowledge of the relatives' and friends' involvement with Communism. In no case do these suitability questionnaires allege any wrongdoing on the part of the employee. In short, these are fishing expeditions, attempts to frighten employees into ratting on their friends and families.

The ACLU is worried lest the Commission, under the guise of determining suitability, may be extending the federal security program to all government employees. If true, such a policy runs head-on into guidelines set by the Supreme Court in *Cole* vs *Young* in 1956. There a government employee, occupying a nonsensitive position at Health, Education and Welfare, who was charged with sympathetic associations with Communists, was fired by the agency using powers given it to dismiss in the interests of national security. In reversing the decision of a lower court which had upheld the dismissal, the Supreme Court said the employee's position did not affect national security.

Even if the Civil Service Commission comes to its senses and drops these cases, they remain as a blot upon the person's record, for the entire file containing allegations, unproved or not, then is shipped down to the personnel department where the employee works.

Recently Mr. John Macy, chairman of the Civil Service Commission, went over to the White House to advise Mr. Johnson on how to attract more talent to work in Washington, building the Great Society. The practices described above are no way to begin.



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# Jules Feiffer

GENTLEMEN, TOO LONG HAS CHRISTMAS BEEN CHEAPENED BY COMMERCIALIZATION. IT'S TIME WE IN THE BUSINESS COMMUNITY FACED UP TO OUR RESPONSIBILITIES.

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VERY SWEET. BUT SOMEHOW WE HAVE TO GET ACROSS THE IDEA THAT THE CHILD **DOES** WANT THAT - AND HE WANTS DADDY, **TOO**.

HOW'S THIS, CHIEF? A SPECIAL CHRISTMAS APPEAL FROM BING CROSBY IN A SANTA CLAUS SUIT: "IF YOU'RE ALONE LISTEN TO MY RECORDS. IF YOU'RE A FAMILY SING THE SONGS YOURSELF."

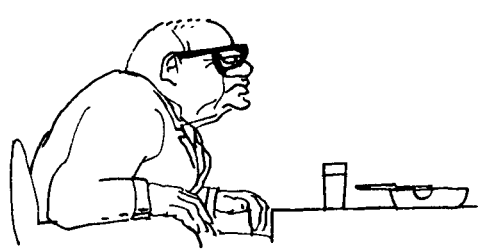
VERY SWEET. BUT WE DON'T WANT TO THROW OUT THE BUSINESS WITH THE BATH WATER.

HOW'S THIS, CHIEF? A MOVING SPIRITUAL GESTURE FROM THE BUSINESS COMMUNITY - THE LAST TWO WEEKS BEFORE CHRISTMAS **NONE** OF THE STORES ADVERTISE!

GENTLEMEN, I'M ASKING FOR UPLIFT AND YOU GIVE ME BETRAYAL.

WE'RE SORRY, CHIEF.

YOU SHOULD BE. IS **NOTHING** SACRED?



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# *The Aging of Justice Holmes*

*by Francis Biddle*

This is the fourth publication of Justice Holmes's letters, and I hope there will be more. His correspondents varied greatly: first (in two volumes) Sir Frederick Pollock, one of an illustrious English family descended from the saddler to George III; then Holmes's letters to a young Chinese student, Dr. J. C. A. Wu, later a judge in the Chinese Republic; in 1953 the prodigious correspondence between Holmes and Harold Laski (1916 to 1935) – two volumes with over three thousand pages; and now the Holmes exchange with the American diplomat, Lewis Einstein, from 1903 to 1935, with all of Holmes's letters, more than two hundred, but only 57 of Einstein's – Holmes had probably destroyed the others: he wrote Einstein in 1932 he had done his best to destroy "illuminating documents."

*The Holmes-Einstein Letters*
edited by James Bishop Peabody
(St. Martin's Press; $12.50)

It is extraordinary the way that Holmes has held the dream of the American people since his death thirty years ago. Judges, even great ones, do not venture much in the realm of the imagination. The image of Holmes persists – not without substantial inaccuracies – a great judge, a great wit, a great swell. He was also a conservative Republican, in many ways conventional, living in a world which had not altogether evolved from the reconstruction years following the Civil War, in which, fresh out of college he had thrice been wounded. No doubt his romantic side, most clearly expressed in his famous speech, "The Soldier's Faith," on a Memorial Day thirty days after the war was over ("the faith is true and adorable which leads a soldier to throw away his life in obedience to a blindly accepted duty, in a cause which he little understands, in a plan of campaign of which he has no notion") has had something to do with his popularity, and the letters have helped. His revolutionary influence on American law is long ago over, and a new and more active point of view has taken its place. But he remains a hero, perhaps the only legal hero we have except John Marshall. A few months ago he was brought back to the public in a dramatic "reading"; and soon Alfred Lunt and Lynn Fontanne are to portray his life, based on the play in which Louis Calhern, twenty years ago, so admirably suggested his wit, his style, his presence – but nothing of his greatness. The legend waxes.

When the correspondence began in 1903 with an invitation from Holmes asking Einstein to a quiet Sunday night dinner – "I am afraid you will find us alone" – the Justice was 62 and Einstein 26. It was an impulsive letter – if Holmes liked a man, or found his talk worth something, he followed him up. Einstein had attracted the older man because fundamentally they were unalike. Their tastes – those of cultivated gentlemen who loved books and good talk – were alike; the bases of their impulses and activities were different. Three months after the first letter they appear intimate enough for the Justice to "venture to suggest" that his young friend has something to learn in the way of style – he must not use reporters' English, words like "voice" or "voiced" of which he seemed fond – and then, to soften the thrust, "Your writing is not quite pure spontaneous glee," he added. Eight years later Holmes was complimenting Einstein on his style – "it shows how you have grown." Correspondence with a master of style must have influenced the young man.

Holmes was a New England Puritan to the core. He loved the scenery of New England, the small white houses, the meadows that ran down into the sea. He shared the New Englander's restraint, his distrust of superlatives, his reserve and solidity, his thrift.

He was happiest when hard at work, was absorbed in doing his duty. Yet he loved the relaxation of books that amused him without making him work: Willa Cather – "*My Antonia* turns the most squalid life of early settlers on the prairies into poetry without leaving the facts"; Casanova – "his is one of the few books that lasts," particularly if one was languid, with no duty pressing – ordinarily there was no time for him; "Jeeves" was a delight. But what most satisfied his New England sense of duty, deep in his nature, was "a good dull improving book of six hundred closely printed crown octavo pages."

Einstein, who when they met had already written his first book, *The Italian Renaissance in England*, gave him a lighter sense of culture and *belles lettres*, and the reaction of a mind sensitively responsive to all forms of artistic expression.

And Einstein understood him, particularly as the letters went on. He says in the perceptive Introduction that the Justice "found Boston to be cultivated but provincial just as later he found Washington uncultivated but national." Holmes's daily personal contacts on the Court could not have afforded him much sense of roots and sources, of a life broader than the national capital, in daily contact with such eminent justices as Harlan and Taft, Pierce Butler and Sutherland. Brandeis brought him something very different and very real, an intellectual companionship in their effort to keep the Constitution responsive to human needs. Holmes didn't go in for saints, but he felt that Brandeis had something of the saint in him. He could disturb Holmes's conscience by saying: "You talk about improving your mind. You only exercise it dealing with the subjects familiar to you. You should do something new – take an excursion into some domain of unfamiliar fact, *e.g.* the textile industry in Massachusetts." "I hate facts," Holmes adds, writing to Einstein. Nine



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days later he repeats this to Harold Laski. Brandeis always gave him a glow – "though I am not sure," Holmes reflects, "that he wouldn't burn me at a slow fire if it were in the interest of some very possibly disinterested aim."

Einstein, like Holmes, was a skeptic. They both were uncompromising Americans, with an 18th Century outlook, not so much fearing as despising the mob, the way Alexander Hamilton had despised it, distrustful of social reform, conscious of their antecedents and backgrounds, eager for the good talk that was a part of civilized living, and which, of course, included amusing gossip.

Knowing these characteristics in his friend, Einstein, who entered the diplomatic career and served in London, Paris, Constantinople and Prague, and became the first American ambassador to Czechoslovakia (1921-1930), took pains, particularly during and shortly after the First World War, to keep his friend informed as to what was going on in the world outside of Washington. In 1925 he reports that Harry Higgins, a London lawyer who had formerly been director of Covent Garden, when Cavalieri had asked him some huge price for appearing there, remarked, "It's only for singing." He describes the 17th Century palazzo in the center of a Prague slum, in which he and his wife had been living, with its hundred rooms, three great courtyards and a covered entrance through which two tram cars could pass, and a garden of over seven acres, which climbed up a hill, all in the heart of the city, commanding a wonderful view. Since he began his letter he has received a cable to say that the US Government had acquired the property.

Einstein is deeply moved by the unnecessary horrors of the war, and knows how to translate them to paper. He writes from the American Legation in Sofia, the capital of Bulgaria, in the winter of 1916 – "although the pavement is good and the electric light plentiful, I passed two men lying freshly murdered on the sidewalk the other night, going to dine at the club. . . ." Fortunately there was enough to keep him busy. There had been arrests and reprisals in the consulates between the Entente and the Central Powers. The British Consul in Sofia, Hurst, asked Einstein, who was then living in a German hotel in Sofia, for asylum. Einstein granted his request, but the Germans sent in soldiers who lined the corridors; and for a month when Hurst went to the WC, Einstein stood guard outside to prevent an arrest. The asylum finally proved successful. Life in Sofia was not easy. . . . The Bulgarian Prime Minister "embraces his enemies in public, announces that harmony is restored, dines with them, and an hour after Parliament adjourns and the dinner is over has them arrested."

Einstein saw in a hospital in neighboring beds a Frenchman and a Bulgar. Each had bayoneted the other, but when all was done the Bulgar refused to leave the Frenchman, for whom he had conceived friendship, and in spite of various attempts to separate them, insisted on being taken to the same hospital and occupying the next bed! British prisoners were treated barbarously (Einstein, from a then neutral power, acted for the British government). Finally he got permission to visit a few surviving British prisoners. All were in tatters, none had boots, they were emaciated and starved. "The Bulgarian popular word for prisoner is the same as for slave." They had been on working parties under the whip with half a loaf of bread a day. When Einstein was in London a little later the King thanked him at a private audience. Einstein had never made public his report to the Prime Minister, but somehow the news leaked out, and the Bulgarians accused him of starting a campaign against them and asked for his recall. The State Department cabled him that in view of the delicate situation arising out of the protection of British interests, it was deemed inadvisable for him to return. He was deeply hurt, and wrote Holmes: "So I am discharged with less notice than one would give a servant, and for having done the work I was sent out to do. I am privately thanked for 'valuable services' and publicly dismissed to oblige a semi-barbarous government."

Holmes writes that Einstein's phrase "the real humility of the skeptic" hits him where he lives. He had been reading again *The Education of Henry Adams*, and took a discreditable pleasure in hearing it criticized by Einstein; and then goes on to say that it seemed to him "futile and pretentious," but interesting. When Holmes steps into Adams's house on his way back from Court, and finds him "playing the old Cardinal," Adams would expend his energy pointing out that everything was dust and ashes. Adams was kind, sad, and defeated. Holmes didn't call often. Holmes had been reading the Odyssey in Greek, but there were too many words he didn't know, the same trouble that he found in discourses (and briefs) on Railroads, Values, and Admiralty. There was much that moved him in the Odyssey, but he didn't spend time "extracting small bits of edible matter with a nutpicker" when he could get it "by the slice" in modern books.

That was one of his favorite axioms, constantly repeated – "give me the

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books of the last fifty years. . . . It is only when our questions are answered that we can afford to bother with dead interests." He could still read Aristotle's *Ethics* with some pleasure, an eternal, universal man, much in advance of Christian morality, with its slapdash universals like "sell all thou hast and give it to the poor." Aristotle understood that *life was like painting a picture and not doing a sum.* Holmes read the "big books" only to make sure that they had nothing to say to him. He never could put away the trailing consciousness that he should always be improving his mind, and on February 10, 1908, said that to fill some promised leisure in the next two weeks he would snap up the rest of Anatole France's *Vie Littéraire* pretty quickly unless he had the self-control to "save him a bit and tackle some dull improver of my mind."

A little later, at Beverly Farms, he read Henry James's *The Ambassadors.* All the characters, as usual, talked Henry James, who lived in a "narrow world of taste and refined vacillations," but in them was master. There were those who thought James great as a novelist – but "my general attitude is relatively coarse: let the man take the girl or leave her. I don't care a damn which. Really, I suppose, he, like his brother and the parsons, attaches a kind of transcendental value to personality; whereas my bet is that we have not the kind of cosmic importance that the parsons and philosophers teach. I doubt if a shudder would go through the spheres if the whole ant-heap were kerosened."

The letters reveal Holmes, with his restless energy, his spontaneous enthusiasms and excitements, his skepticisms which he liked to multiply "as against the judicial tendency to read into a Constitution class prejudices naïvely imagined to be eternal laws," his need to put debatable subjects in a neat phrase, and the saws which occurred to him as he grew older and gradually had to give up long walks: morals were a contrivance of man to take himself seriously . . . truth is what I can't help accepting . . . most government meddling with the organization of the world is probably noxious, and socialism was drool, because the practical question was who consumes the annual product, not who owns the instruments (an artless oversimplification).

Long before he was an old man he sniffed the relentless pace of the years. As one reached seventy, he reflected, friends dropped fast – his old first sergeant in the Twentieth Massachusetts Regiment, afterward captain, had just died (1910). Eight years later he reflected to Einstein: "Rum business, this growing older. Nature withdraws here a raisin and there a plum from your pudding, until one doubts if anything is left but sodden dough." He still had 17 years, with the best raisins and plums to come toward the end. He had to think of the day of Judgment, when he shouldn't like to be asked a question in Aristotle's *Ethics* and sit down because he never had read it. Two years later he said he had passed another milestone at 67. At 76 he thought it silly to "bother any longer about improvement," but he couldn't help it – if he pursued simpler amusement for a week he felt as if he had been eating too many chocolates. That year he had missed court for the first time, shut up for a week with grippe. In 1924 he wrote that he believed he was good for another year's work. He had some angels for servants, and they looked after him with a care that did not foster the illusion of youth to which his temperament was liable, but that made him very comfortable (at Beverly in 1930).

He resigned just under the age of 94, on January 11, 1935, the day after he had been to his last Saturday conference. He hated to quit, but he was very tired, and must have known that the Chief Justice had been assigning him easier cases. He wrote Einstein in September that he found it very hard to write, and there was only one more letter, the same month, in which the Justice, answering Einstein's enquiry, said that he had not read Silas Bent's


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biography about himself, but should think it was harmless.

Holmes lived for two-and-a-half years more. Einstein kept on sending his news, now chiefly gossip, from Great Cumberland Place in London. In one of his last letters he repeats an 18th Century epitaph in a London churchyard, which Elizabeth Bibesco, Margot Asquith's daughter, had told him:

Under this stone lies poor Charlotte
Who was born a virgin and died a harlot,
To the age of fifteen she retained her virginity
Not a bad record for this vicinity.

Perhaps Holmes did not take it in. About the same time Owen Wister, an old friend from the Massachusetts days, had repeated to him something of the sort. The old man couldn't understand, and said so. Then, with a rush of words, sitting up: "I'm living behind a cloud," he said, "but I can still pull my brains together and call a man a son-of-a-bitch if I have to!"

# *A Wild and Gentle Man*

*by Elijah White*

In bitter near-dawn in northwestern Greece a hungry young man stares at the darkened world and his mind soars to become the Sun on its journey from the East. It climbs in the heavens and watches the struggles of China in revolution, India in poverty, the Arab world being proselytized, his native Greece splattered with the blood of other Greeks.

*The Fratricides*
by Nikos Kazantzakis
Translated by Athena Gianakas Dallas
(Simon and Schuster; $5)

"What is the soul of man, of real man? The sun pondered. A flame, sadness, joy, an upsurging spring that breaks through the thick skin of earth and rises? Some call it revenge, others call it justice; some call it freedom, others, God; I call it the soul of man! And as long as it can spurt up from the earth, I have faith that my light does not go wasted. . . . What a wasteland, what tragedy if the soul of real men did not exist; and how useless my light would be."

This concern for the state of man's soul is at the root of *The Fratricides*, the last novel (1954) written by Nikos Kazantzakis, the great poet and philosopher of 20th Century Greece.

Destiny has led an aging priest, Father Yanaros, away from his native village and a subsequent disillusioning period of monastic life, to Castello, a village set on the rocks of Epirus. It is "stark and ashen, the houses were barren stone piled on stone, their doors so low one had to stoop to enter – and within was darkness. . . . And the souls who lived within these stones were hard and inhospitable. Mountains, houses, people – they were all granite." Yanaros is a man for whom God is at times an adversary to be wrestled, at times a friend and absolver, but always a loud-spoken and fearful presence. "God is a fighter, and so is man, then [I'll] fight beside Him!"

With the advent of Civil War, Castello becomes a battleground. Its sons and daughters are forced to side with the loyalist army or escape to the hillside camps of the Communist "redhoods." Soon one man is screaming "Bulgar! Traitor! Bolshevik!" while his brother shouts, "Impostor! Fascist! Scoundrel!" Father Yanaros's estranged son is a captain of the rebel forces, and as rebel strength grows, Yanaros's mind and heart are torn. They are all his children. He must produce salvation for all of them. The startling and confused denouement is Kazantzakis's portrait of man's condition.

Some of the finest passages Kazantzakis has ever written are in a chapter which takes the form of a journal kept by a young soldier at the front. The soldier, Leonidas, is used to present the confusions and purities of youth, whereas Father Yanaros shows the confusions and cynicisms of experience. "My mind," Leonidas writes, in pondering man's acceptance of nature, "stands helpless at these crossroads, not knowing which way to turn; and yet on this decision rests the happiness and the success of man. I believe the ancient Greeks took the first road – the one of harmony – which took them to the miracle of absolute beauty. The Christians took the second path, which led to the mystic glory of love and kindness. Is it possible then, that no matter which path one treads, he can accomplish the miracle of man?"

*The Fratricides* is not a flowing narrative; it is a collection of prose odes. Interspersed with plot sequences are wondrous flights of lyricism, surrealistic visions, imaginary conversations, fables, philosophical monologues, and the exquisite journal entries.

The sounds and smells of an ageless Greece color the novel. As in much of his other work, Kazantzakis attempts here to relate the legends of Christianity to modern political and psychological realities. There's a world torn by civil strife, torn between loyalty to nation and God and the promise of greater justice under Communism. And theology is torn between reflective complacency and action.

"God is not cool water – no, He's not cool water to be drunk for refreshment; God is fire, and you must walk upon it, not only walk, but – most difficult of all – you must dance on this fire. And the moment you are able to dance on it, the fire

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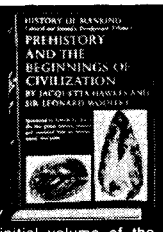

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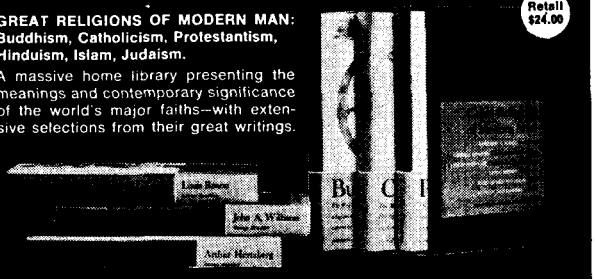

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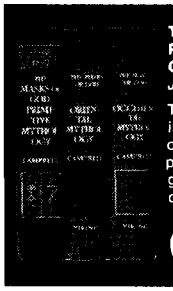

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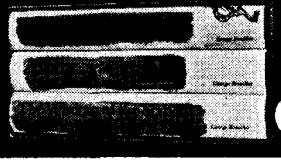

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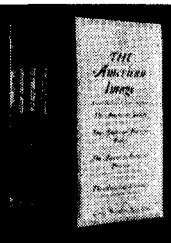

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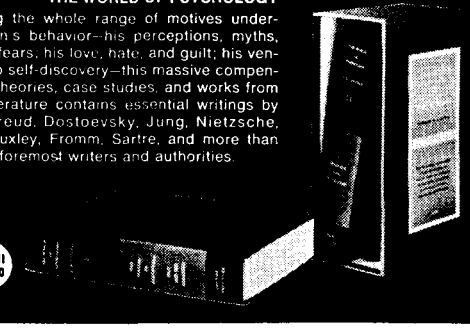

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will become cool water, but until you reach that point, what a struggle, my Lord, what agony!"

Kazantzakis was no stranger to turmoil. Born on the island of Crete in 1883, his life followed the political fortunes and exiles characteristic of that period of Greco-Turkish history. His education included four years of law and two of philosophy, the latter spent in Paris. For a particularly informed and perceptive dissertation on the basic themes of his life and work, I recommend *Nikos Kazantzakis and His Odyssey* by Pandelis Prevelakis. This splendid analysis records that Kazantzakis had as his intellectual mentors Nietzsche, Bergson, William James and Buddha. A stormy home and the chaotic turbulence of Greece during his early middle age clearly are reflected in all his work.

Kazantzakis was a constant traveler, in body and spirit. His many journeys to far points of the globe are beautifully recorded in some of the best travel writing available. He was also known to Greece as a translator of the great works of other lands. A playwright, a poet, a philosopher, his reputation soon matched the breadth of his vision and accomplishment.

Although Kazantzakis is translated into some thirty languages, Americans are late in recognizing his merits. His novels, *Zorba the Greek*, *The Last Temptation*, *The Greek Passion* (later filmed as *He Who Must Die*), *Todo Raba*, *Freedom and Death* and *Saint Francis* were brought out here during the late forties and during the fifties and sixties. Kazantzakis's great classic *The Odyssey: A Modern Sequel* translated by Kimon Friar was published in 1958. An unfinished autobiography, *Report to Greco*, is scheduled to be published next year.

Perhaps the talent of Kazantzakis, who died in 1957, is best described in the words of the young soldier Leonidas, speaking of Father Yanaros: "[He] has a strength that is secret and wild; a deep pain, an unshaken faith, something that is wild and gentle. . . ."

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# That Decade and the Next

*by Jack Greenberg*

Anthony Lewis – surely the only writer in history to write a book in collaboration with a major corporation (*The New York Times*) – is more celebrated for another association with another great national institution. During the past decade as the *Times's* Supreme Court reporter he has been as much a part of the Court as the clerk and marshal, occupying a table like them up front, and has been there longer than most of the Justices. Indeed, in arguing a recent civil rights case before the Court, Prof. Louis Pollak of Yale Law School, describing the location of Freedom Riders and police, with respect to the bus terminal lunch counter in Montgomery, Alabama, used the court itself as a model, and for points of reference ticked off Justice White, Justice Goldberg, the marshal and Mr. Lewis. Everyone took it as a matter of course. Second to the Court itself he has been the most authoritative popular interpreter of its role in American life, and sometimes he has been better, for he has been freer to discuss bases and meanings of decisions which judges must leave unarticulated or which have been developed by a reporter's skill and are not otherwise available.

*Portrait of a Decade:*
The Second American Revolution
by Anthony Lewis and
*The New York Times*
(Random House; $6.95)

*Portrait of a Decade* describes the civil rights revolution – and the role law has played in it – that started with the School Segregation Cases in 1954 and reached a major juncture with the Civil Rights Act of 1964. Mr. Lewis has written chapters on law and civil rights specifically for this book; others are made up of *Times* articles by various authors dealing with, for example, the Montgomery bus boycott, the Meredith case, Little Rock, segregation in the North (a Sunday Magazine piece by James Baldwin) – all held together by connective and interpretive discussion. Despite the borrowing, the book is one man's as much as any history of the decade could possibly be. The stories take on a new life in this context; the book has unity and solid sweep.

Lewis is not under the illusion that everything begins and ends with the law. He recognizes the role of the demonstrations and doesn't hesitate to condemn (while understanding) excesses (garbage on the Triborough Bridge) as well as to write approvingly of the disciplined March on Washington and other mass protests in the tradition of free speech, assembly, and petition for redress of grievances. But he knows that law can be and has been corrupted, as by arrests on specious grounds in Mississippi, the setting of excessive bail, the interposition of legal impediments to desegregating schools or the refusal to apply law against those who violently abuse civil rights advocates. He recognizes the great difficulty in overcoming massive legal and social resistance by law alone and places great stress on the affirmative role which the



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executive branch of government accepted, and later embraced, commencing in 1961. For until then virtually all enforcement of the Brown decision in the courts came from private lawyers supported by the NAACP Legal Defense Fund, with not a word of moral encouragement from the President and actual assistance only in emergencies such as Little Rock. Today, while more than ten times the amount of civil rights legal activity is needed, the Department of Justice, particularly in the voting area, has joined the fray. The President now regularly affirms a national moral commitment. But though "without the law there could have been nothing," Lewis writes, "the rescuing of the Negro child from the cycle of the deprived family and the slum school is a job not for the Constitution but for social policy."

Lewis has described the past decade. Does it teach anything about what form the civil rights movement will take in the future? I think that we can make some informed guesses. The first part of the answer comes from the way the nation has been responding to race problems over the years. There has been a spectrum in geography running from the deepest, most racist South, typified by Mississippi, to the middle tokenism South, typified by North Carolina, to the border states and to the North, where problems of race blur into circular issues of poverty, family deterioration, urban blight, and so forth, which cut across race lines. But the geographical spectrum resembles one in time. Mississippi is becoming more like North Carolina; North Carolina is becoming more like New York. In the South, therefore, clear-cut, readily resolved questions of outright resistance will give way to problems of how to deal with pettifoggery, tokenism and the use of law to delay rights and confuse issues – the most difficult, time-consuming and expensive kind of litigation. Nationally, all of us concerned with race relations will become increasingly occupied with those most difficult economic and social issues which transcend racial status but are also completely bound up with it. Both kinds of questions, however, will stimulate the same kinds of approaches that have been called for in the past. Legal pressure must continue; demonstrations will be provoked by delay in advancing the Southern-oriented quest for legal status and the Northern-oriented quest for economic and social achievement. New-found political strengths will be brought into active service whenever possible.

The triple murder of Chaney, Goodman, and Schwerner in Mississippi this summer, repeated bombings, and harassment of civil rights workers by abuse of law and outright violence have tended to obscure the fact that Mississippi has stepped into the gradualist camp. Cleveland Donald and another Negro student have been admitted to the University of Mississippi, the former by litigation (simple by what once were Mississippi standards), the latter without a lawsuit. We won decrees desegregating four school districts in Jackson, Biloxi, Leake County, and Clarksdale; and in three actual desegregation occurred. Jackson admitted 39 Negro children, Biloxi 18, Leake County one, and Clarksdale none.

In Clarksdale the question is whether the school district lines were gerrymandered to create the outcome; in Leake there are claims (pending before the courts) that privately uttered threats deterred Negro families from taking advantage of the decree. In the other districts, at issue is whether school districts can continue to assign Negro children to Negro schools, white children to white schools, and impose on Negro children the obligation of seeking transfer while passing muster according to standards ranging from academic ability to the most subjective of criteria. The courts have outlawed pupil-assignment as a means of perpetuating segregation, but implementing the law calls for a lot of lawsuits and hard work. For example, in the remaining districts in Mississippi nothing has happened at all. (Moreover, throughout the South and border states almost 2,000 districts have no desegregation at all, while about 1,000 have at least some.)

Desegregation of public accommodations is common throughout Mississippi, particularly in the cities. (Whether Negroes freely use or feel they can use these accommodations is something else, but some do.) In September I addressed an NAACP banquet at the largest hotel in Biloxi and neither the management nor the other guests gave the appearance of having batted an eye.

I don't think it would be wild to guess that in the next few years Mississippi also will recede from its hard line on Negro voting, again particularly in the cities. After all, conforming to the Constitution has not upset the applecart for the powers that be in Texas, South Carolina, North Carolina, Florida and elsewhere that voting bias largely has been abandoned. Political power starts with the vote but ends with much more: economic strength, education, social relationships. Enough of the South has perceived that Negroes can to some extent be incorporated into the establishment, for Mississippi to do likewise. We will then face the problem there, common nationally, of whether disadvantaged groups are adequately represented, not whether they can vote. The days of stunning victories, in the manner of Meredith, are over because Mississippi has learned the Meredith lesson. Some say that the old kind of struggle was preferable because it was easier. But winning it could only mean working up to the present phase, and

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we are going to have to go through it.

North Carolina rolls with the punch even more readily. Almost all public accommodations are open to both races, though there is some litigation about this in smaller towns. While the NAACP Legal Defense Fund and its cooperating attorneys usually have to file a suit or make a threat to get something started in a school case, the first step now usually brings an agreement to allow a handful of Negro children into white schools. And even in South Carolina some school boards this year desegregated a token number of Negro children without being sued. As the Supreme Court has pressed harder for deliberate speed, compliance has seemed to get better, but the demands for speed have little effect on a district that tells untruths, or that gerrymanders until it is caught.

In the North also, laws do not necessarily assure an end to discrimination. Here it is not only illegal but often socially unacceptable for a landlord or employer to discriminate on racial grounds. But Aesopian formulations come readily: the job that is already filled or the apartment already taken when a Negro applies (but which become available to the white person who follows him) are commonplaces of litigation in New York and California.

The Civil Rights Act of 1964 adds new weapons to the legal arsenal in the South. (In the North, state laws often cover the same ground, but the federal law can be applied in the North where state remedies bring no results.) For example, Justice Department lawyers under certain conditions now can enter segregation cases. But even together, the private civil rights lawyers and the government lawyers face a huge job. Seventeen full time and about a hundred cooperating lawyers of the NAACP Legal Defense Fund are handling 97 Southern school suits, virtually all there are. Assuming that the Civil Rights Division will be doubled or trebled (local US attorneys apparently will not handle civil rights cases), there's a long way to go before the 2,000 still-segregated districts are desegregated. And the Justice Department must attend to other matters as well.

Another new weapon is Title VI of the Civil Rights Act, which requires nonsegregation in federally supported projects. Lawsuits involving federally supported hospitals and urban renewal projects previously have declared the same obligation. The principal virtue of Title VI, therefore, is an easily imposed administrative remedy, with initiative from Washington, and not necessarily from children, doctors, patients, or tenants who must bring lengthy and expensive litigation. President Kennedy's famous "stroke of the pen" housing order (a forerunner of Title VI) has yet to exhibit the slightest breath of life. Following a court decision that hospitals which have received federal funds under the Hill-Burton Act cannot discriminate, HEW declined to apply these constitutional requirements to hospitals whose applications had been approved prior to the decision, but which had not yet received funds, recognizing, in effect, a sort of vested interest they had in segregation. Law is the beginning, not the end.

Not everyone recognizes this, and therein lies a danger. Many who have supported the cause of civil rights may now feel that because legislation has been passed, the work is done and all energies should be directed to the poverty and welfare aspects of race relations. Negroes are unlikely to feel so confined. First, nonsegregated education, equal job opportunity, and freedom from police brutality are essential parts of an attack on poverty. Second, the man in the street often reacts to racial slight more sharply than to long term social and economic wrongs.

The advent of new legal doctrines also has led some to hope that the movement will get out of the streets and into the courts. My guess is that demonstrations will be with us for years to come. Wherever law is abused, its implementation stalled – and that will happen – we can count on protest. Demonstrations against discrimination in the Middle South and North will not, in my opinion, be as successful as the sit-ins and freedom rides which were aimed against more dramatic deprivations. The other day a CORE picket line at the New York Port Authority bus terminal was largely ignored as it tried to persuade the public that a bus line had reneged on an agreement to employ Negro bus drivers, having hired them from the outside instead of upgrading lower level employees.

Assume, however, that enforcement of legal rights is firm, and that where courts are slow, civil rights leaders, political spokesmen and demonstrators will otherwise get action. Obviously race-related problems will remain in, what for want of a better word, we can call poverty pockets. If a Negro isn't educated he can't get certain jobs no matter how "open" they may be; his children can't be as well educated as many white children. Moreover, every aspect of the economy and society register their condition on the "race" question. Policies of non-discrimination in employment thrive best when employment is booming, not contracting. The same goes for housing: when it is scarce and expensive, ghetto walls are harder to break down.

The country has not yet made up its mind about this mixture of political, economic, social and ideological questions. It has shown insufficient evidence of wanting to put enough money and energy into the job and to suffer the dislocations that may occur in the process. The birth pangs of Mobilization For Youth and Haryou-Act in New York demonstrate on a small scale the irresolution and the clash of forces that such anti-poverty projects provoke. Even where social and economic welfare programs succeed, we

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may expect protests in the short run. Community action, including rent strikes and boycotts, have been recognized as means of spurring a community to do something about its own problems. But such protests have proven most controversial.

What if these social welfare and economic reforms don't pick up enough speed, or stall altogether? There will, surely, be protests directed at the lack of political resolve – nationally and locally. Demonstrations against something as complex as poverty run the same risk as those directed at subtle forms of discrimination; this may be unpersuasive or stir up "backlash," but they will occur. And there is another reason why this will occur. Would-be civil rights leaders with no real following have found that they can gather one, even if only temporarily, by being more strident than the established leadership. There is an escalation of militancy; thus, the proposed "stall-in," the dumping of rats on City Hall steps. Such leadership has not been able to stay on top, but will no doubt go on trying.

The "stall-in" was averted only because tremendous pressure was brought by the established groups – NAACP, Urban League, CORE, and Southern Christian Leadership Conference, with SNCC first opposing the stall-in and then favoring it. Only so much pressure, however, can be successful. The way to keep a boat under control downstream is to move faster than the current. To the extent that responsible groups can formulate programs and produce results, breakdowns will be minimized. But will the country listen to the established civil rights leadership? The President appears to think so; the recent cutback on military bases, not altogether popular in some places – was partly designed to find funds for the anti-poverty program. Still, I'm not persuaded that we are going to move ahead rapidly and quietly. The adoption by the voters this past month in California of Proposition 14, which scotched that state's housing antidiscrimination law forcefully suggests that we may not move quickly enough.

In other words, while we are on course and will make progress, the going will occasionally be rough. That is good rather than bad. The tension and dislocation of the decade from 1954 to 1964 – so ably chronicled by Mr. Lewis and the *Times* – contributed to and reflected advance. They were small compared to gains won. Given resources of civil rights forces, steady application of their energies ought to accelerate the recent rate of progress.

## FILMS

# *Early Winter Roundup*

*Goldfinger* (United Artists)
*John Goldfarb, Please Come Home* (20th Century-Fox)
*Bay of the Angels* (Pathé Contemporary)
*Anatomy of A Marriage* (Janus)
*The Pumpkin Eater* (Royal)

Film comedy takes a welcome turn with the arrival of *Goldfinger*, made from an Ian Fleming thriller. Fleming may have intended his books as sex-and-sadism stimulants, though they are so dreadfully written that I have never been able to find out; but the first two Fleming films were headed in the direction of comedy. They were impeded (in *Dr. No*) by too much sci-fi hocus-pocus out of Saturday afternoon serials and (in *From Russia With Love*) by too heavy a reliance on the personality and sexual exploits of the cloddish Sean Connery. *Goldfinger*, with a new director, Guy Hamilton, strikes exactly the right note. Connery, still miscast as Bond, a dressed-up stevedore in a role that calls for a young Cary Grant, is not taken any more seriously as a libertine than he is as a sensible detective; and all the apparatus is now hilariously melodramatic rather than supposedly frightening. (Example: Bond is strapped to a metal table by the villain and a laser beam slices away toward him in place of an 1890 buzz-saw.)

But it is neither straight satire of private-eye eyewash nor surrogate fulfillment of adult repressions. The acting is too straight for the former and the plot too extreme for the latter. (When Bond embraces a girl, he sees in her eyes the reflection of an assailant approaching from behind.) Bond cannot be a vicar of violence for us because, although the details of his behavior are generally credible, his decisions and the context of his actions are absurd. He reminds me of a swimmer I once saw on a dock drying himself with a towel, in perfectly normal fashion, in the midst of a rainstorm. That is Bond, as character; *Goldfinger*, as film, is neither satire nor release but a pleasant travesty of adolescent daydreams.

In contrast, a comedy called *John Goldfarb, Please Come Home* is doggedly unfunny. It has assembled some potentially amusing farcical elements and fumbled them. The hero is an American U-2 pilot, Jewish, who loses his course for Russia and is forced down in an Arab oil kingdom. Shirley

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MacLaine is a US news photographer who has smuggled herself into the king's harem. Goldfarb has been a football coach, and the king spares him on condition that he help the prince, a Notre Dame football reject. The State Department, in order to cover up the U-2 landing, agrees to arrange a game between the Arabs and Notre Dame.

The dialogue by William Peter Blatty may be witty; we shall never know because, in the main, it is incomprehensible. The film never has a chance because it is directed by J. Lee Thompson who showed a dull hand in *What A Way to Go!* and here dulls it further. Like all untalented people attempting farce, he thinks the prime element is speed; everything is done very fast. In fact the prime elements are timing (by no means the same thing as speed) and *clarity*. If you can't understand premises, you cannot possibly laugh at payoffs. In addition, Thompson has no gift with actors. Miss MacLaine has never been so unendearing in her attempts to endear, Richard Crenna is a void as Goldfarb, and even Peter Ustinov, who ought to have been funny since he is simply repeating his familiar bumbling act with an Arab accent, has been allowed to blur.

*Bay of the Angels*, directed by Jacques Demy, is a thin and ultimately false French film about gambling, but it contains two elements of note. From time to time, in the casinos of Nice and Monte Carlo, it catches some of the fever and helps you to understand the gambling passion of Dostoevsky and others. And it contains another vivid and interesting performance by Jeanne Moreau, dyed blonde, neurotic, with consciousness of and dedication to her neurosis.

Three films about marriage by two directors. André Cayatte, whose distinctions include *We Are All Murderers*, has made his own double feature, called *Anatomy of A Marriage*, the story of a marriage and its break-up, told from the man's view in one full-length film and from the wife's in the other. The idea is very watery Pirandello (contradictions can both be true) but might have been successful if the trick had been condensed to one film; and if the characters were significant, the events reasonably representative of the problems of modern married life, and the colorings not predominantly soap-opera purple.

*The Pumpkin Eater* is by Jack Clayton who made the extraordinarily good *Room at the Top* and then made the mistake of attempting James's *Turn of the Screw* (as *The Innocents*). Here, with Harold Pinter as his adapter, he has taken a plush-lined ladies' novel by Penelope Mortimer and taken it seriously. A woman has a compulsion to have children, has a large number by two husbands, falls in love with another man, divorces her husband, and in effect drives her new husband to intensify his philandering by her philoprogenitive craze. This, it seems to me, is a subject for comedy, but it is treated

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with stately seriousness.

Anne Bancroft, who, like Kim Stanley, went to England to make her most recent film, comes off less well than Miss Stanley because her role is principally one of dreary noble suffering. Peter Finch, the Rip Van Winkle of actors, seems almost to have awakened from his long sleep and may one day once again be worth watching. There are two sharp moments. James Mason has a scene, as a married friend, in which he plays a descending scale from amiability to vicious sexual aggression; and there is a beauty parlor scene in which Miss Bancroft, trapped under a hair dryer, has to listen to a demented monologue from a woman next to her. The monologue is well written and is excellently played by Yootha Joyce. It has only one defect: it is totally irrelevant to the story. For the rest, Clayton strains for muted meanings by taking us on extended tours of the furnishings of various rooms.

Clayton and Cayatte suffer from a prevalent directorial disease (shared by Leopoldo Torre Nilsson). They have film-making gifts as such but are markedly unreliable in their judgment of material. Some directors choose feeble material out of desperation. (After I saw Karel Reisz's poor version of *Night Must Fall*, I asked a well-known director why, after the opportunities opened up by *Saturday Night and Sunday Morning*, Reisz had chosen to remake this old thriller. "Probably he just waited too long," said the director sympathetically, "and got panicky.") Often it is simply weak editorial ability. It is increasingly clear that this ability and directing talent do not necessarily go hand in hand. There are a few directors who make films as many other artists work – that is, as expressions of an organic vision of life, perhaps a philosophy. That is why one can forgive most of Bergman's lapses; they are usually attempts, however unsuccessful, to dramatize an evolving personal view. But most directors simply shop for usable material, from film to film; and some of the most capable make some of the worst choices.

STANLEY KAUFFMANN

### NOTES ON CONTRIBUTORS

Francis Biddle, *formerly Attorney General of the United States was, in his youth, secretary to Justice Holmes.* Elijah White *is a member of a New York publishing firm.* Jack Greenberg *is Director-Counsel of The NAACP Legal Defense and Educational Fund.*

# *Correspondence*

## Subsidizing the States

*Sirs:*

While Edwin L. Dale's article on the Heller Plan ("Subsidizing the States," November 28), mentions most of the issues involved, the argument it makes is poor. The plan should be considered with respect to three goals: 1) a more "progressive" distribution of money in the economy, 2) fiscal stimulation to avoid what Mr. Heller calls "fiscal drag," and 3) effective use of the funds involved.

First, Mr. Dale contends that the technique of distributing federal money to the states by population will have "a mild redistributive effect." The word "mild" should have been in italics and underlined. Quite clearly, West Virginia (per capita income: $1,810), for example, needs additional funds far more than do Colorado ($2,370) or Oregon ($2,330), yet these states are nearly equal in population.

Second, Mr. Dale considers the strong possibility that many states will simply cut back on their own spending when the federal money arrives, dismissing the problem by saying: "at least the taxes cut will be relatively 'regressive'." The plan, however, turns into nothing more than a tax cut – a measure he argues against elsewhere in the article.

Third, he discounts the fact that corrupt and segregationist state governments would misuse and waste the funds with the old standby that something is better than nothing. In fact, he quotes one of the plan's proponents as saying that only 10 percent of the "yield" would be lost. Not only does he underrate the corruption at the state level (witness the recently uncovered Massachusetts scandals), but he assumes incorrectly that the money would be spent automatically on worthwhile projects. In addition, his


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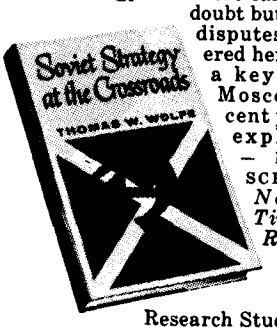


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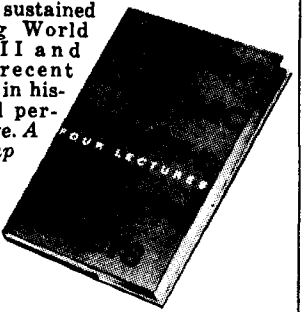


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contention that Congress would not pass an expanded grants-in-aid program is not well founded. He uses the defeat of Federal Aid to Education as proof; but he must surely realize that the religious issue was most instrumental in that defeat. The Clark Senate Subcommittee on Unemployment issued a report last year advocating an annual expenditure of $5 billion on public works.

"The plan can be called Machiavellian in the best sense," says Mr. Dale. Perhaps better appellations would be "backward" and "ill-conceived." The plan lacks both the daring of the lion and the cunning of the fox. "Machiavellianism" of this variety is forcing the US to retreat from government planning while much of the rest of the world is benefitting from it.

*Richard Parker*
*Swarthmore, Penna.*

## Mobilization for Youth

*Sirs:*

One major correction in an otherwise often accurate and always perceptive article by Murray Kempton ("When you Mobilize the Poor," December 5).

He indicates that, following the March on Washington, an FBI name check revealed that "32 percent of Mobilization's 300 staff members" had been affiliated with left wing organizations. In fact, the FBI name check at that time is said to have revealed 14 persons. A check one year later following the *Daily News* attack, was reported in *The New York Times* as indicating that 32 *persons* (not *percent*) had been members of or petition signers for left wing groups. . . . The *Times* was in error regarding the number of staff members, since Mobilization For Youth had 400 employees at the time. Further, the FBI material was *unevaluated, i.e.,* included material which the FBI itself would define as not necessarily meaningful. The accuracy of the *Times'* report is subject to further question, in that continuing investigations (there have been many) have turned up a maximum of 27 names, including persons who signed American Labor Party petitions in 1951 and 1953.

All of which indicates the dangers of the numbers game.

*George Brager, Co-Director*
*Mobilization for Youth*

## Krebiozen

*Sirs:*

Your note (December 5) entitled "Krebiozen Scandal" makes me question the researching capabilities and honest journalism of your staff. You have obviously consulted only the AMA for your information. . . .

*W. M. Woods*
*Metuchen, N.J.*

I have been meaning to write for some time simply to express my appreciation for a very stimulating publication. . . . What finally got me off my inertia was your note on krebiozen. Thank heavens you're keeping an open mind on it. That's all Dr. Ivy asks. I was terribly shocked when one of your minor contemporaries blasted Dr. Ivy and his backers. Dr. Ivy and his people are not nuts, and I think there are far too many unanswered questions to kiss them off the way the AMA is trying to do. . . .

*Jack Mabley*
*Chicago, Illinois*

## Conspiracy on the Right

*Sirs:*

In "Conspiracy on the Right" (November 28), you say: "Membership in or association with a group cannot be grounds for taking away a man's job or demoting him, unless *the activities of the group* in question are plainly proved to be incompatible with a man's official duties." (Emphasis supplied.)

Your willingness, here revealed, to abandon the honored tradition of our law that individuals are to be held responsible only for their *own* activities and not for those of any group with which they happen to be associated is distressing. The Birch Society demands of its members a higher degree of conformity to its beliefs and a higher degree of participation in its activities than do most organizations, but this fact does not obviate the necessity of proving that the individual concerned . . . participates in activities "plainly proved to be incompatible with" the individual's official duties. . . .

*Charles Doyle*
*New York, N.Y.*



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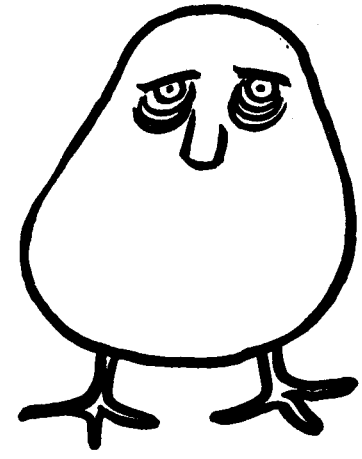

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